

freezing rain, freezing drizzle, or mixed icing conditions (supercooled liquid water and ice crystals) may result in ice build-up on protected surfaces exceeding the capability of the ice protection system, or may result in ice forming aft of the protected surfaces. This ice may not be shed using the ice protection systems, and may seriously degrade the performance and controllability of the airplane.

- During flight, severe icing conditions that exceed those for which the airplane is certificated shall be determined by the following visual cues. If one or more of these visual cues exists, immediately request priority handling from Air Traffic Control to facilitate a route or an altitude change to exit the icing conditions.

—Unusually extensive ice accumulation on the airframe and windshield in areas not normally observed to collect ice.

—Accumulation of ice on the lower surface of the wing aft of the protected area.

- Since the autopilot, when installed and operating, may mask tactile cues that indicate adverse changes in handling characteristics, use of the autopilot is prohibited when any of the visual cues specified above exist, or when unusual lateral trim requirements or autopilot trim warnings are encountered while the airplane is in icing conditions.

- All wing icing inspection lights must be operative prior to flight into known or forecast icing conditions at night. [NOTE: This supersedes any relief provided by the Master Minimum Equipment List (M MEL).]"

(2) Revise the FAA-approved AFM by incorporating the following into the Normal Procedures Section of the AFM. This may be accomplished by inserting a copy of this AD in the AFM.

#### **"THE FOLLOWING WEATHER CONDITIONS MAY BE CONDUCTIVE TO SEVERE IN-FLIGHT ICING:**

- Visible rain at temperatures below 0 degrees Celsius ambient air temperature.
- Droplets that splash or splatter on impact at temperatures below 0 degrees Celsius ambient air temperature.

#### **Procedures for Exiting the Severe Icing Environment:**

These procedures are applicable to all flight phases from takeoff to landing. Monitor the ambient air temperature. While severe icing may form at temperatures as cold as -18 degrees Celsius, increased vigilance is warranted at temperatures around freezing with visible moisture present. If the visual cues specified in the Limitations Section of the AFM for identifying severe icing conditions are observed, accomplish the following:

- Immediately request priority handling from Air Traffic Control to facilitate a route or an altitude change to exit the severe icing conditions in order to avoid extended exposure to flight conditions more severe than those for which the airplane has been certificated.

- Avoid abrupt and excessive maneuvering that may exacerbate control difficulties.

- Do not engage the autopilot.

- If the autopilot is engaged, hold the control wheel firmly and disengage the autopilot.

- If an unusual roll response or uncommanded roll control movement is observed, reduce the angle-of-attack.

- Do not extend flaps when holding in icing conditions. Operation with flaps extended can result in a reduced wing angle-of-attack, with the possibility of ice forming on the upper surface further aft on the wing than normal, possibly aft of the protected area.

- If the flaps are extended, do not retract them until the airframe is clear of ice.

- Report these weather conditions to Air Traffic Control."

(b) Incorporating the AFM revisions, as required by this AD, may be performed by the owner/operator holding at least a private pilot certificate as authorized by section 43.7 of the Federal Aviation Regulations (14 CFR 43.7), and must be entered into the aircraft records showing compliance with this AD in accordance with section 43.9 of the Federal Aviation Regulations (14 CFR 43.9).

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(d) An alternative method of compliance or adjustment of the compliance time that provides an equivalent level of safety may be approved by the Manager, Small Airplane Directorate, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64106. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Small Airplane Directorate.

**Note 3:** Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Small Airplane Directorate.

(e) All persons affected by this directive may examine information related to this AD at the FAA, Central Region, Office of the Regional Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106.

(f) This amendment revises AD 98-05-14, Amendment 39-10375.

(g) This amendment becomes effective on September 22, 1998.

Issued in Kansas City, Missouri, on September 11, 1998.

**Michael K. Dahl,**

*Acting Manager, Small Airplane Directorate, Aircraft Certification Service.*

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## **DEPARTMENT OF TRANSPORTATION**

### **Coast Guard**

#### **33 CFR Part 117**

[CGD08-98-055]

RIN 2115-AE47

#### **Drawbridge Operating Regulation; Portage Bayou, Tchoutacabouffa and Wolf Rivers, MS**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the operating regulation for the Adams Bridge across the Wolf River, mile 1.3, in Pass Christian, Harrison County, Mississippi. The bridge was replaced with a fixed bridge and the drawbridge was removed in 1995 and the regulation governing its operation of the drawbridge is no longer applicable. The Coast Guard is also renumbering and dividing certain sections within 33 CFR part 117 to improve readability. The renumbering is administrative and no substantive changes are being made.

**DATES:** This regulation becomes effective on September 18, 1998.

**ADDRESSES:** Documents referred to in this rule are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 4 p.m., Monday through Friday, except Federal Holidays. The telephone number is (504) 589-2965. Commander (ob) maintains the public docket for this rulemaking.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, telephone number (504) 589-2965.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background and Purpose**

The Adams Bridge across the Wolf River was replaced with a fixed bridge and the drawbridge was removed in 1995. The elimination of this drawbridge necessitates the removal of the drawbridge operation regulation that pertained to this draw. This rule removes the regulation for this bridge in § 117.685.

Additionally, the Coast Guard is administratively renumbering certain sections with 33 CFR, part 117. The changes are administrative in nature and no substantive changes were made to these sections. These changes include redesignating § 117.683 to § 117.682 and redesignating § 117.684 to § 117.683. The remaining portions of § 117.685 are

then divided so that the drawbridge operation regulations for Portage Bayou and the Tchoutacabouffa River are separated in §§ 117.684 and 117.685 respectively. These administrative changes will place the drawbridge operating regulations for each Mississippi waterway in separate and easily identifiable sections.

The Coast Guard has determined that good cause exists under the Administrative Procedures Act (5 U.S.C. 553) to forego notice and comment for this rulemaking because the Adams Bridge is no longer in existence, eliminating the need for the regulation, and the renumbering has no substantive effect on the existing operating schedules.

The Coast Guard, for the reasons just stated, has also determined that good cause exists for this rule to become effective upon publication in the **Federal Register**.

#### Regulatory Evaluation

This rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it under that order. It is not significant under the Regulatory Policies and Procedures of the Department of Transportation (DOT) (44 FR 11040, February 26, 1979). The Coast Guard expects the economic impact of this rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.) the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

Since the Adams Bridge across the Wolf River, mile 1.3 at Pass Christian, Mississippi was replaced with a fixed bridge and has been removed, the rule governing the bridge is no longer appropriate. The renumbering within 33 CFR part 117 is administrative in nature and has no substantive effect on existing operating schedules. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This rule contains no collection-of-information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 et seq.).

#### Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612, and it has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that this action is categorically excluded from further environmental documentation under current Coast Guard CE #32(e), in accordance with Section 2.B.2 and Figure 2-1 of the National Environmental Protection Act Implementing Procedures, COMDTINST M16475.1C.A "Categorical Exclusion Determination" is available in the docket for inspection or copying where indicated under ADDRESSES.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

For the reasons set out in the preamble, the Coast Guard is amending part 117 Title 33 Code of Federal Regulations as follows:

#### PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

**Authority:** 33 U.S.C. 499; 49 CFR 1.46; and 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

**§§ 117.683 and 117.684 [Redesignated as §§ 117.682 and 117.683]**

2. Section 117.683 (Pascagoula River) is redesignated as § 117.682; § 117.684 (Pearl River) is redesignated as § 117.683; and a new § 117.684 is added to read as follows:

#### § 117.684 Portage Bayou.

The draw of the Portage Bridge over Portage Bayou, mile 2.0, shall open on signal if at least two hours notice is given.

3. Section 117.685 is revised to read as follows:

#### § 117.685 Tchoutacabouffa River.

The draw of the Cedar Lake Road Bridge over the Tchoutacabouffa River,

mile 8.0, shall open on signal if at least twenty-four hours notice is given.

Dated: September 4, 1998.

**A.L. Gerfin, Jr.,**

*Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard Dist.*

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#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 165

[CGD01-98-144]

RIN 2115-AA97

#### Safety Zone: World Yacht Cruises Fireworks, New York Harbor, Upper Bay

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the World Yacht Cruises Fireworks program located in Federal Anchorage 20C, New York Harbor, Upper Bay. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic on a portion of Federal Anchorage 20C.

**DATES:** This rule is effective from 9:30 p.m. until 10:45 p.m. on Saturday, September 19, 1998.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection or copying at Coast Guard Activities New York, 212 Coast Guard Drive, room 205, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (718) 354-4195.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (Junior Grade) A. Kenneally, Waterways Oversight Branch, Coast Guard Activities New York, at (718) 354-4195.

#### SUPPLEMENTARY INFORMATION:

#### Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing an NPRM and for making this regulation effective less than 30 days after **Federal Register** publication. Due to the date the Application for Approval of Marine Event was received, there was insufficient time to draft and publish an NPRM. Any delay encountered in this regulation's effective date would be