

regulations to require a six-hour advance notice for openings from 8 p.m. to 4 a.m., December 1 through March 31. The bridge opening log data for 1998, and 1999, December through March, 8 p.m. to 4 a.m., indicate no requests to open the bridge.

Discussion of Comments and Changes

The Coast Guard received no comments in response to the notice of proposed rulemaking and no changes have been made to this final rule.

Regulatory Evaluation

This final rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that Order. It has not been reviewed by the Office of Management and Budget 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 final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that the bridge has not had any requests to open in 1998 and 1999, December through March, from 8 p.m. to 4 a.m. Mariners will still be able to obtain bridge openings during the regulated time period provided they give six-hour notice.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this final rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000. Therefore, for reasons discussed in the Regulatory Evaluation section above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this final rule in accordance with the principles and criteria contained in Executive Order 13132 and has determined that this final rule does not have federalism implications under that Order.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that, under Section 2.B.2., Figure 2-1, paragraph (32)(e), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found to not have a significant effect on the environment. A written "Categorical Exclusion Determination" is not required for this final rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

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

2. Section 117.215(b) is revised to read as follows:

§ 117.215 Niantic River

* * * * *

(b) The draw of the S156 Bridge, mile 0.1, at Niantic, shall open on signal; except that, from 7 a.m. to 8 a.m., and 4 p.m. to 5 p.m., Monday through Friday, except holidays, the draw shall open only for the passage of commercial vessels. From December 1 through March 31, from 8 p.m. to 4 a.m., the draw shall open on signal if at least six hours notice is given by calling the number posted at the bridge.

Dated: October 28, 1999.

Robert F. Duncan,

Captain, U.S. Coast Guard Acting Commander, First Coast Guard District
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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CCGD08-99-014]

RIN 2115-AE47

Drawbridge Operation Regulations; Illinois River, IL

AGENCY: Coast Guard, DOT.

ACTION: Final Rule

SUMMARY: The Coast Guard is amending the drawbridge regulation for remote operation of the Elgin, Joliet and Eastern Railroad (E.J. & E.), Drawbridge at Mile 290.1 on the Illinois Waterway. The present regulation states the bridge is remotely operated from the E.J. & E. offices in Gary, Indiana. The regulation as amended, allows E.J. & E. Railroad Company to relocate the remote operator to their office in East Joliet, Illinois, approximately 1.5 miles from the bridge. The operation of the bridge will be unaffected by the proposed relocation of the operator.

DATES: This rule is effective November 12, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the offices of the Commander, Bridge Branch, Eighth Coast Guard District, 1222 Spruce Street, St. Louis, MO 63103-2832, between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is 314-539-3900, extension 378.

FOR FURTHER INFORMATION CONTACT: Roger K. Wiebusch, Bridge Administrator, Eighth Coast Guard District, 314-539-3900, Ext. 378.

SUPPLEMENTARY INFORMATION:

Regulatory History

This rule is being published as a final rule and is effective upon publication in the **Federal Register**. Relocation of the bridge operator and the associated address change will not affect operation of the bridge, and will have no impact on navigation or the public. For these reasons, the Coast Guard for good cause finds, under 5 U.S.C 553(b)(B) and (d)(3), that notice, and public procedure on the notice, before the effective date of this rule are unnecessary and that this rule should be made effective in less than 30 days after publication.

Background

Presently E.J. & E. Railway Company remotely operates this bridge from their offices in Gary, Indiana, approximately 40 miles distant from the bridge. The

bridge operator will be moved to East Joliet, Illinois approximately 1.5 miles distant from the bridge, without changing the present operation of the bridge.

This rule requires E.J. & E. Railroad to operate the bridge from their offices in East Joliet, Illinois. No other changes to the present operation of the bridge are planned.

Regulatory Evaluation

This is not a significant regulatory action under section 3(f) of the Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has not been reviewed by the Office of Management and Budget 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

The regulation change will not affect the present safe operation of the bridge.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this regulation change will have a significant economic impact on a substantial number of small entities. Small entities include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields and governmental jurisdictions with populations of less than 50,000. Since the regulation change will have no effect on present operating conditions for rail or river traffic, there will be little, if any impact on small entities. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this regulation change will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation change does not provide for a collection of information under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this regulation change under the principles and criteria contained in Executive Order 13132 and have determined that this regulation change does not have implications for federalism under that Order.

Environment

The Coast Guard considered the environmental impact of this regulation change and concluded that under Figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, this regulation change is categorically excluded from further environmental documentation. This regulation change merely alters the drawbridge operating regulations to coincide with present operating conditions. 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 discussed in the preamble, the Coast Guard amends 33 CFR part 117 as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

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

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

§ 117.393 [Amended]

2. In § 117.393, paragraph (d) is amended by removing the words "Gary, Indiana," and adding in their place the words "East Joliet, Illinois,".

Dated: October 7, 1999.

Paul J. Pluta,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-98-174]

RIN 2115-AE47

Drawbridge Operation Regulations: Kennebec River, ME

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the drawbridge operation regulations governing the Route-197 Bridge, mile 27.1, across the Kennebec River between Richmond and Dresden, Maine. The bridge owner asked the Coast Guard to change the regulations to restore the operating regulations that were

inadvertently deleted in 1989, from the Code of Federal Regulations. This final rule is expected to relieve the bridge owner of the requirement to crew the bridge at all times and still meet the needs of navigation.

DATES: This final rule is effective December 13, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the First Coast Guard District Office, 408 Atlantic Avenue, Boston, Massachusetts, 02110, 7 a.m. to 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Regulatory History

On August 25, 1999, the Coast Guard published a notice of proposed rulemaking entitled Drawbridge Operation Regulations; Kennebec River, Maine, in the **Federal Register** (64 FR 46323). The Coast Guard received no comments in response to the notice of proposed rulemaking. No public hearing was requested and none was held.

Background

The Route-197 Bridge has a vertical clearance at mean high water of 15 feet and at mean low water of 20 feet. The existing regulations require the bridge to open on signal at all times. The bridge owner, Maine Department of Transportation (MDOT), asked the Coast Guard to change the operating regulations for the Route-197 Bridge to correct an inadvertent removal of the operating regulations in 1989, as docket number (CGD01-89-077). The bridge owner was not aware of the removal and continued to operate the bridge in accordance with the old regulations. The Coast Guard was also unaware of the inadvertent removal until notified by the bridge owner.

This proposal, if adopted, will require the bridge open on signal from June 1 through September 30, 9 a.m. to 5 p.m. From 5 p.m. to 9 a.m., the draw shall open on signal after notice is given to the drawtender at the bridge during the drawtender's duty shift from 9 a.m. to 5 p.m. From October 1 to May 31, the draw shall open on signal after at least a 24 hour advance notice is given to the Maine Department of Transportation Division Office in Rockland, Maine.

Discussion of Comments and Changes

The Coast Guard received no comments in response to the notice of proposed rulemaking and no changes have been made to this final rule.