

System (MBS). In 1985, the United States began harmonizing the United States Aids to Navigation System (USATONS) with the MBS.

If the standards of IALA are adopted, the current candlepower for these lights would be revised to an "area specific" standard. These lights would still have to be visible for 90 percent of the nights of the year. The Coast Guard is also considering standardizing the approval procedures for optical and audio equipment for fog signal emitters.

Presently, under 33 CFR part 67, all artificial islands and structures erected on or over the seabed and subsoil of the outer continental shelf (OCS) are marked as private aids to navigation. The obstruction lights prescribed are either a white or red, quick-flashing, all-around light, depending on structure classification and background lighting. Multiple obstruction lights are required to flash in unison.

The IALA standards define a quick-flashing, white light as a north cardinal mark. The present private aid system may be misleading to the mariner accustomed to the IALA system. The mariner accustomed to using a white, quick-flashing light as a cardinal mark might mistake a structure which is not a cardinal mark for a cardinal mark. To conform with IALA, each structure would retain the red or white light, but display a Morse code "U" (...) rather than the quick flashing light.

Current regulations in 33 CFR part 67, subpart 67.05 require that lights be of sufficient candlepower so as to be visible for a prescribed distance, corresponding to the structure's class, 90 percent of the nights of the year. Certain geographic regions have environmental conditions that preclude lights from meeting the above standard. The new standards might divide the country into separate regions to allow for differences in transmissivity and its effects on the range of visibility. For example, one region might include the First, Ninth, and Eleventh Coast Guard Districts, while the other region might include the remaining districts.

The existing procedure in 33 CFR 67.05-10 that regulates lighting equipment states that manufacturers of lights must have their equipment approved by the District Commander and a permit must be issued before the equipment can be distributed. This procedure might be changed to require an independent laboratory to conduct the test. If so, the manufacturer would then forward the results to Commandant (G-NSR), U.S. Coast Guard, 2100 2nd Street SW., Washington, D.C., 20593, for review.

Cost Information

The Coast Guard is seeking additional information on the cost that could be associated with this project. Presently, the Coast Guard is consulting with Automatic Power Incorporated, Tideland Signal Corporation, and Sea Nav Corporation in an effort to estimate the economic impact that this project could have on manufacturers and users. The Coast Guard specifically requests comments from laboratories which conduct tests of lighting systems and fog signal emitters covered by part 67 regarding the costs of approvals.

Solicitation of Views

The Coast Guard solicits comments from all segments of the marine community and other interested persons on these suggestions and recommended alternatives related to obstruction lighting on artificial islands, fixed structures, and other facilities. The Coast Guard is particularly interested in receiving information, views, data, and reasons on the following questions and areas of concern:

1. Should these lights be changed to conform to IALA standards?

Should the lights be changed to Morse "U" in accordance with IALA standards, or with another configuration?

2. Should Class "C" structures be required to conform to IALA?

3. Should fog signal and light inspection procedures be changed?

Should the equipment approval procedures be changed to require testing by independent laboratories with results then forwarded to the Coast Guard?

Would such a change increase or decrease costs and compliance time?

4. What other factors should be considered in light of this proposed change?

Is there any other information that you feel may be helpful in implementing this change with less impact on the affected persons?

Dated: January 3, 1996.

J.A. Creech,

Captain, U.S. Coast Guard, Acting Chief, Office of Navigation Safety and Waterway Services.

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33 CFR Part 117

[CGD05-95-081]

RIN 2115-AE47

Drawbridge Operation Regulations; Anacostia River, Washington, DC

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the Consolidated Rail Corporation (CONRAIL), the Coast Guard is proposing to change the regulations that govern the operation of the railroad bridge across the Anacostia River, mile 3.4, at Washington, DC. This proposal would change the current schedule by extending the winter seasonal restrictions and reducing the hours of operation during the boating season.

These changes to the drawbridge regulations are intended to relieve the bridge owner of the burden of having a bridgetender staff the bridge during periods of non-use, while still providing for the reasonable needs of navigation.

DATES: Comments must be received on or before April 9, 1996.

ADDRESSES: Comments may be mailed to Commander (ob), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be delivered to Room 109 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (804) 398-6222. Comments will become part of this docket and will be available for inspection at Room 109, Fifth Coast Guard District.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD05-95-081) and the specific section of this proposal to which each comment applies, and give the reason for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgement of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (ob) at the address under ADDRESSES. The request should include reasons why

a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

Drafting Information

The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Administration Section, and CDR T.R. Cahill, Project Counsel, Fifth Coast Guard District Legal Office.

Background and Purposes

The current regulations found at 33 CFR 117.253 provide that the draw of the CONRAIL bridge, mile 3.4, on the Anacostia River, shall open on signal on Saturdays, Sundays, and Federal Holidays from April 1 through September 30; between 7 a.m. and 11 p.m. on weekdays that are not Federal Holidays from April 1 through September 30; and on eight hours notice at all other times. CONRAIL has requested that 33 CFR 117.253 be amended to reduce the periods during which it must open the bridge on signal. In support of its request, CONRAIL contends that its records show that the period of heavy boating traffic is from May 15 through September 15, not April 1 through September 30 as provided in the current regulations. CONRAIL has also asked that the hours during which the bridge must open on signal be reduced, and that the same schedule be adopted for both weekdays and weekends.

The Coast Guard has reviewed CONRAIL's bridge logs for 1993 and 1994, copies of which are available for inspection at Room 10-9, Fifth Coast Guard District. According to the logs for 1993 and 1994, the railroad bridge only opened a total of 11 times from April 1 through May 15, and 6 times between September 15 through September 30. For 1993 and 1994 during the weekdays, the bridge opened 10 times between noon and 1 p.m.; 4 times between 6 p.m. and 7 p.m.; and 5 times after 7 p.m. During 1993 and 1994 on the weekends, the bridge opened 9 times between 7 p.m. and 9 a.m.

Based on the above information, the Coast Guard is proposing changes to 33 CFR 117.253. The proposed changes would require the bridge to open on signal between 9 a.m. and 12 noon and between 1 p.m. and 6 p.m. every day from May 15 through September 30. The bridge would also open on signal between 6 p.m. and 7 p.m. every day from May 15 through September 30 if notice is given to the bridgetender prior to 6 p.m. on the day for which the

opening is requested. Requirements would be the same for both weekend and weekday openings. The bridge will continue to open on eight hours notice at all other times.

As discussed above, openings have been infrequent during the periods which would be affected by these proposed changes. The Coast Guard believes that these proposed changes will relieve CONRAIL of the burden of requiring a bridgetender to be on duty during periods of little or no vessel traffic while not unduly restricting navigation.

Regulatory Evaluation

This proposed action 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 been exempted from review 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.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This proposal 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 principals and criteria contained in Executive Order 12612, and it has determined that this proposal will not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, 29 July 1994), this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend Part 117 of Title 33, Code of Federal Regulations to read 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. In § 117.253, paragraphs (b)(1) (ii) and (iii) are revised to read as follows:

§ 117.253 Anacostia River.

* * * * *

(b) * * *

(1) * * *

(i) * * *

(ii) Between 9 a.m. and 12 noon and between 1 p.m. and 6 p.m. from May 15 through September 30.

(iii) Between 6 p.m. and 7 p.m. from May 15 through September 30 if notice is given to the bridgetender not later than 6 p.m. on the day for which the opening is requested.

* * * * *

Dated: December 21, 1995.

W.J. Ecker,

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

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 651

[I.D. 010496C]

New England Fishery Management Council; Modification of Meeting

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and