

List of Subject in 33 CFR Part 100

Marine Safety, Navigation (water), Reporting and record keeping requirements. Waterways.

Temporary Regulation.

In consideration of the foregoing, the Coast Guard amends Part 100 of Title 33, Code of Federal Regulation, as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. A temporary § 100.35–T08–028 is added to read as follows:

§ 100.35–T08–028 Special Local Regulation, Ohio River, Beech Bottom, WV.

(a) Regulated Area: A regulated area is established on the Ohio River, which consists of all waters, bank-to-bank, inside mile markers 77.2 to 78.0.

(b) Special Local Regulation:

(1) Entry into the regulated area is closed to all commercial and recreational marine traffic from 9:30 a.m. to 6:30 p.m. EST on July 4 and 5, 1998 without the consent of the Captain of the Port, Pittsburgh.

(2) Only vessels participating in the speed boat race and sponsor safety vessels will be permitted in the regulated area.

(3) There will be periodic breaks in the schedule. Vessels wishing to transit the area must coordinate passage with the Coast Guard Patrol Commander.

(c) Dates: This section is effective at 9:30 a.m. and terminates at 6:30 p.m. EST on July 4 and 5, 1998.

Dated: June 11, 1998.

A.L. Gerfin, Jr.,

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

[FR Doc. 98–16371 Filed 6–18–98; 8:45 am]

BILLING CODE 4910–15–M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117**

[CGD 08–98–028]

Drawbridge Operating Regulation; Lafourche Bayou, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, Eighth Coast Guard District has issued a temporary deviation from the regulation

governing the operation of the SR 1 vertical lift bridge across Lafourche Bayou, mile 13.3, in Leeville, Lafourche Parish, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to close the bridge to navigation continuously from 7 a.m. on Tuesday through 7 p.m. on Thursday each week from July 7, 1998 through July 30, 1998. This temporary deviation is issued to allow for the replacement of all four sets of lift cables for the vertical lift span.

DATES: This deviation is effective from 7 a.m. on July 7, 1998 until 7 p.m. on July 9, 1998; from 7 a.m. on July 14, 1998 until 7 p.m. on July 16, 1998; from 7 a.m. on July 21, 1998 until 7 p.m. on July 23, 1998; and from 7 a.m. on July 28, 1998 until 7 p.m. on July 30, 1998.

FOR FURTHER INFORMATION CONTACT: Mr. Phil Johnson or Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130–3396, telephone number 504–589–2965.

SUPPLEMENTARY INFORMATION: The SR 1 vertical lift span bridge across Lafourche Bayou at Leeville, Lafourche Parish, Louisiana has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position. Mean high water elevation is 3 feet above Mean Sea Level (MSL). Navigation on the waterway consists primarily of fishing vessels, some tugs with tows and occasional recreational craft. Presently, the draw opens on signal for the passage of vessels.

The Louisiana Department of Transportation and Development requested a temporary deviation from the normal operation of the bridge in order to do maintenance work on the bridge. The work consists of replacing all four sets of lift cables of the vertical lift span. The cables are worn, have begun to fray, and are in need of immediate replacement. This work is essential for the continued safe operation of the vertical lift span.

The District Commander has, therefore, issued a deviation from the regulations in 33 CFR 117.5 authorizing the SR 1 vertical lift span bridge across Lafourche Bayou, Louisiana to remain in the closed-to-navigation position continuously from 7 a.m. on Tuesday through 7 p.m. on Thursday each week from July 7, 1998 through July 30, 1998.

Dated: June 11, 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 117**

[CGD07–98–025]

RIN 2115–AE47

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is removing the regulations governing the operation of the Flagler Beach Bridge (SR 100) mile 810.6, at Flagler Beach, Florida. This drawbridge has been removed and replaced by a higher fixed bridge and there is no longer a need for the regulation.

DATES: This rule is effective June 19, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Evelyn Smart, Project Manager, Bridge Section, at (305) 536–6546.

SUPPLEMENTARY INFORMATION:**Background and Purpose**

The bridge regulation for the Flagler Beach Bridge (SR 100) was published in the **Federal Register** on October 13, 1995 [60 FR 53274]. The regulation established draw times for the opening of the drawbridge. This drawbridge was replaced by a new higher fixed level bridge, which opened to vehicular traffic in June, 1997. All parts of the old drawbridge not used in the new fixed bridge have been removed from the waterway. Therefore, the regulation governing the operation of the old drawbridge is no longer necessary and the Coast Guard is removing 33 CFR 117.261(e).

The Coast Guard finds in accordance with 5 U.S.C. 553, that good cause exists for proceeding directly to final rule and making this rule effective in less than 30 days. This final rule removes a bridge regulation for a drawbridge that was removed in June 1997. Therefore, publishing a notice of proposed rulemaking or delaying the effective date of the final rule is unnecessary and the Coast Guard is proceeding to final rule, 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 costs and benefits under section 6(a)(3) of that order. The office of Management and Budget under that order has not

reviewed it. 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 policy and procedures of DOT is unnecessary. We conclude this because the drawbridge to which the rule applies no longer exists.

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 small businesses and not for profit organizations that are independently owned and operated and are not dominant in their field and government jurisdictions with populations of less than 50,000.

Therefore the Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities, because the drawbridge has been replaced with a new fixed bridge and the drawbridge regulation is no longer necessary.

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 rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this rule and has determined pursuant to figure 2-1, paragraph 32(e) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation. A Categorical Exclusion determination has been prepared and is available for inspection and copying in the docket.

List of Subjects in 33 CFR Part 117

Bridges.

Final Regulations

For the reasons set out in the preamble, the Coast Guard amends Part

117 of Title 33, Code of Federal Regulations, as follows:

PART 117—[AMENDED]

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.

117.261 [Removed and Reserved]

2. In 117.261, remove and reserve paragraph (e).

Dated: May 18, 1998.

Norman T. Saunders,

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

[FR Doc. 98-16370 Filed 6-18-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-98-029]

RIN 2115-AE47

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Florida

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast guard is removing the regulations governing the operation of the Seabreeze Boulevard Bridge, mile 829.1 at Daytona Beach, Florida. This drawbridge has been replaced by two higher fixed bridges and there is no longer a need for the regulations.

DATES: This rule is effective June 19, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Evelyn Smart, Project Manager, Bridge Section, at (305) 536-6546.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The bridge regulation for the Seabreeze Boulevard Bridge, mile 829.1, was published in the **Federal Register** February 8, 1979 [44 FR 7981] and revised in the **Federal Register** on November 19, 1979 [44 FR 66195]. This regulation established draw times on the opening of the State Road 430 drawbridge. This drawbridge was replaced by two higher fixed level bridges, which opened to vehicular traffic in June, 1997. All parts of the old drawbridge not used in the new fixed bridges have been removed from the waterway. Therefore, the regulation governing the operation of the old

drawbridge is no longer necessary and the Coast Guard is removing 33 CFR 117.261(f).

The Coast Guard finds in accordance with U.S.C. 553, good cause exists for proceeding directly to final rule and making this rule effective in less than 30 days. This final rule removes a bridge regulation for a drawbridge that was removed in October, 1997. Therefore, publishing a notice of proposed rulemaking or delaying the effective date of the final rule is unnecessary and the Coast Guard is proceeding to final rule, 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 a assessment of potential costs and benefits under section 6(a)(3) of that order. The Office of Management and Budget under that order has not reviewed it. 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 policy and procedures of DOT is unnecessary. We conclude this because the drawbridge to which the rule applies no longer exists.

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 small businesses and not for profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000.

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, because the drawbridge has been replaced with two new fixed bridges and the drawbridge regulation is no longer necessary.

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 rule under the principles and criteria