

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. 3051 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that under Figure 2-1, CE # 32(e) of the NEPA Implementing Procedures, COMDINST M16475.1C, this final rule is categorically excluded from further environmental documentation. 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 of 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; 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 105 Stat. 5039.

§ 117.991 [Removed]

2. Section 117.991 is removed.

Dated: August 21, 1998.

Paul J. Pluta,

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

[FR Doc. 98-24053 Filed 9-4-98; 8:45 am]

BILLING CODE 4910-15-M

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

[CGD08-98-052]

RIN 2115-AE47

Drawbridge Operation Regulation; Lafourche Bayou, LA

AGENCY: Coast Guard, DOT.

ACTION: Temporary rule.

SUMMARY: The Coast Guard is temporarily changing the regulation for the operation of the draw of the SR1 vertical lift bridge across Lafourche Bayou, mile 13.3, in Leeville, Lafourche Parish, Louisiana. The draw will remain closed to navigation continuously from noon on Mondays through noon on Fridays from October 5, 1998, through November 6, 1998. In the event of an approaching tropical storm or hurricane, work on the bridge will be discontinued and the draw will return to normal operation. This temporary rule is issued to allow for the replacement of the electrical and mechanical components of the bridge.

DATES: This temporary rule is effective from noon on October 5, 1998 through noon on November 6, 1998.

ADDRESSES: All documents referred to in this notice will be available for inspection and copying at room 1313 in the Hale Boggs Federal Building at Commander (ob), Eighth Coast Guard District, 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 Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary rule.

FOR FURTHER INFORMATION CONTACT: Phil Johnson or 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: On June 5, 1998, the Louisiana Department of Transportation and Development (LDOTD), requested a change to the operating schedule of the SR1 vertical lift bridge across Lafourche Bayou, mile 13.3, in Leeville, Lafourche Parish, Louisiana. LDOTD requested that the bridge be closed 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. The reason for the closure was to allow for the replacement of the four (4) lift Cables on the bridge. The District Commander granted the deviation request on June 11, 1998. The deviation (CGD 08-98-28) was published in the **Federal Register** on Friday, June 19, 1998 (63 FR 33575). The lift cables were replaced and work was completed by July 30, 1998.

Additionally, on June 5, 1998, LDOTD requested a second temporary deviation from the regulation governing the

operation of the SR1 vertical lift bridge across Lafourche Bayou, mile 13.3, in Leeville, Lafourche Parish, Louisiana. LDOTD requested that the bridge be closed to navigation from 7 a.m. until 9 a.m.; 9:30 a.m. until noon; 12:30 p.m. until 3 p.m.; and 3:30 p.m. until 7 p.m., Monday through Friday, except Federal holidays, from August 3, 1998, until October 2, 1998. This temporary deviation was requested to allow for general maintenance repairs. The District Commander granted the deviation request on July 11, 1998. The deviation (CGD 08-98-30) was published in the **Federal Register** on Friday, June 19, 1998 (63 FR 33577). General maintenance repairs are currently underway and the deviation is in effect.

On July 16, 1998, LDOTD requested a modification to temporary deviation (CGD 08-98-30) to allow the bridge to be closed continuously during the mid-week period for two weeks in August, two weeks in September, and two weeks in October. LDOTD stated that the contractor was unable to complete scheduled electric and mechanical repairs without disconnecting power to the bridge rendering the draw inoperable. LDOTD subsequently requested that the SR1 vertical lift bridge across Lafourche Bayou, mile 13.3, in Leeville, Lafourche Parish, Louisiana remain closed to navigation continuously from noon on Mondays through noon on Fridays from October 5, 1998, through November 6, 1998. This closure would allow the contractor to replace the electrical and mechanical components on the bridge. The contractor can not complete these repairs without disconnecting power to the bridge, rendering the draw inoperable.

In making this revised request for closure, LDOTD has moved the dates of the closure outside of the height of hurricane season. However, in the event of an approaching tropical storm or hurricane, work on the bridge will be discontinued and the draw will return to normal operation. The contractor has also worked out an agreement with the Port Authority which will allow larger vessels that are unable to transit through the bridge while in the closed-to-navigation position to off load their catch below the bridge. Since the applicant has adequately resolved the concerns of the Coast Guard, the District Commander is granting LDOTD's request for a temporary change to bridge operating procedures.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking for this rule has been published, and good cause exists for making it effective in less than

30 days from the date of publication. Following normal rule making procedures would have been impracticable. There was not sufficient time to publish proposed rules in advance of implementing the change to the bridge operating procedures or to provide for a delayed effective date.

Background and Purpose

The bridge 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 contractor has requested a complete closure of the bridge to allow for the replacement of the electrical and mechanical components of the bridge and for the pulling of electric conduit wiring on the bridge. During portions of this repair work, scaffolding may be placed below the bridge over the navigation channel reducing the approved vertical clearance to less than 40 feet above mean high water. The reduction in the vertical clearance will be approximately 4 feet. Additionally, if a tropical storm or hurricane develops in the Gulf of Mexico, work will be discontinued and the bridge returned to normal operation for the passage of vessel traffic. Alternate routes are available to vessel operators wishing to enter the area. This work is essential for the continued safe operation of the vertical lift span.

Regulatory Evaluation

This temporary 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 temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This is because the majority of vessels using the waterway will not be affected by the closure. The majority of the fishing vessels are able to transit under the bridge, which has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position. Additionally, larger vessels

will be able to off load their cargoes downstream of the bridge site.

Small Entities

Under the Regulatory Flexibility Act, 5 U.S.C. 601 et seq., the Coast Guard must consider whether this temporary 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 dominate in their fields and (2) governmental jurisdictions with populations of less than 50,000. The majority of commercial vessels and fishing vessels that normally transit the bridge will still be able to do so beneath the bridge in the closed-to-navigation position. Thus, the Coast Guard expects there be no significant economic impact on these vessels. The Coast Guard is not aware of any other waterway users who would suffer economic hardship from being unable to transit the waterway during these closure periods. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This temporary 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 temporary 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.

Temporary Regulations

For the reasons set out in the preamble, the Coast Guard is

temporarily 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.

2. Effective noon, October 5, 1998, through noon, November 6, 1998, § 117.465 is amended by adding paragraph (g) to read as follows:

§ 117.465 Lafourche Bayou.

* * * * *

(g) The draw of the SR 1 bridge, mile 13.3, at Leeville, shall open to signal, except that; from noon on October 5, 1998, through noon on November 6, 1998, the draw will remain closed to navigation continuously from noon on Mondays through noon on Fridays. In the event of an approaching tropical storm or hurricane, work on the bridge will be discontinued and the draw will return to normal operation.

Dated: August 27, 1998.

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 165

[COTP CHARLESTON 98-053]

RIN 2115-AA97

Safety Zone; Around Alone 98/99 Fireworks, Custom House Reach, Charleston, SC.

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a safety zone on September 25 in the vicinity of the Custom House Reach, Charleston Harbor, South Carolina to protect vessels in the vicinity from the hazards associated with the storage, preparation, and launching of fireworks. Entry into this zone is prohibited unless authorized by the Captain of the Port.

DATES: This regulation becomes effective at 9 p.m. Eastern Standard Time (EST), and terminates at 10:15 p.m. (EST), on September 25, 1998.

FOR FURTHER INFORMATION CONTACT: