

add a new temporary paragraph (c) to read as follows:

**§ 117.291 Hillsborough River.**

\* \* \* \* \*

(c) (1) The draws of the bridges at *Platt Street, mile 0.0, and Brerein Street, mile 0.16, may remain closed to navigation.*

(2) The draws of the bridges at Kennedy Boulevard, mile 0.4, Cass Street, mile 0.7, Laurel Street, mile 1.0, West Columbus Drive, mile 2.3, and West Hillsborough Avenue, mile 4.8, shall open on signal if at least two hours notice is given; except that, the draws shall open on signal as soon as possible after a request by a public vessel of the United States, a vessel owned or operated by the State, county or local government and used for public safety purposes, or a vessel in distress.

Dated: January 25, 2001.

**T.W. Allen,**

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

[FR Doc. 01-3108 Filed 2-6-01; 8:45 am]

BILLING CODE 4910-15-P

**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

[CGD01-00-193]

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 for the Carlton (U.S. 1) highway-railroad bridge, at mile 14.0, across the Kennebec River between Bath and Woolwich, Maine. This rule will remove unnecessary operating restrictions from the regulations and provide relief to the bridge owner from the requirement to crew the bridge during periods when there have been few requests to open the bridge.

**DATES:** This rule is effective March 9, 2001.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket (CGD01-00-193) and are available for inspection or copying at the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts, 02110, 7 a.m. to 3 p.m., Monday through Friday, except Federal holidays.

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

**SUPPLEMENTARY INFORMATION:**

**Regulatory Information**

On October 6, 2000, we published a notice of proposed rulemaking (NPRM) entitled Drawbridge Operation Regulations; Kennebec River, Maine, in the **Federal Register** (65 FR 59780). We received no comments in response to the notice of proposed rulemaking. No public hearing was requested and none was held.

**Background and Purpose**

The Carlton (U.S. 1) highway-railroad bridge, at mile 14.0, across the

Kennebec River has a vertical clearance in the closed position of 10 feet at mean high water and 16 feet at mean low water. The existing drawbridge operating regulations are listed at 33 CFR 117.525. Vehicular traffic no longer travels over the Carlton Bridge because a new fixed highway bridge has been constructed upstream. The bridge will continue to operate as a railroad bridge only.

The bridge owner, Maine Department of Transportation (MDOT), asked the Coast Guard to remove the unnecessary restrictions from the regulations and to add several time periods during which the bridge will open on an on call basis. The bridge presently is allowed to remain closed to navigation from 6 a.m. to 7:30 a.m. and from 3:15 p.m. to 5:30 p.m., Monday through Friday, excluding holidays. These closed periods were added to the regulations to prevent vehicular traffic congestion in Bath during the shift changes at the Bath Iron Works. These closed periods are no longer necessary and will be removed by this rule.

The bridge owner has also requested relief from crewing the bridge from 5 p.m. to 8 a.m., daily, and all day on Saturdays and Sundays from October 1 through May 14. The bridge opening log data submitted by MDOT indicates a relatively low number of requests to open the bridge during the time periods and the bridge owner has requested that the bridge operate on an on call basis. The greater amount of bridge openings in 1999, are attributed to construction vessel traffic during the building of the new highway bridge upstream from the Carlton Bridge.

**BRIDGE OPENINGS BETWEEN 5 P.M. AND 8 A.M.**

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
1997 .....	0	0	0	0	9	6	7	13	5	12	0	0
1998 .....	0	2	1	2	1	6	4	6	3	10	7	6
1999 .....	2	7	2	4	21	24	36	5	10	20	29	12
2000 .....	0	0	4	0	12							

**BRIDGE OPENINGS SATURDAYS/SUNDAYS OCTOBER 1 THROUGH MAY 14**

	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
1997 .....	9	0	0	0	0	0	0	2
1998 .....	10	7	3	0	2	0	0	0
1999 .....	11	13	4	1	5	2	2	1
2000 .....				0	0	3	0	0

The Coast Guard believes that operating the Carlton Bridge on an advance notice basis from 5 p.m. to 8 a.m., daily, and all day on Saturdays

and Sundays, from October 1 through May 14, is reasonable and will still meet the needs of navigation. This conclusion is based upon the low number of

opening requests received over the past several years and the fact that the bridge will still open on signal after the advance notice is given.

### Discussion of Comments and Changes

The Coast Guard received no comments and no changes will be made to this rule.

### Collection of Information

This rule calls for no new collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

### Federalism

We have analyzed this rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that Order.

### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those unfunded mandate costs. This rule will not impose an unfunded mandate.

### Taking of Private Property

This rule will not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

### Civil Justice Reform

This rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

### Protection of Children

We have analyzed this rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

### Environment

The Coast Guard considered the environmental impact of this rule and concluded that under figure 2–1, paragraph (32)(e) of Commandant Instruction M16475.1C, this 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 117.525(a) is revised to read as follows:

#### § 117.525 Kennebec River.

(a) The draw of the Carlton Bridge, mile 14.0, between Bath and Woolwich shall operate as follows:

(1) From May 15 through September 30 the draw shall open on signal; except that, from 5 p.m. to 8 a.m., the draw shall open on signal if a two-hour notice is given by calling the number posted at the bridge.

(2) From October 1 through May 14 the draw shall open on signal; except that, from 5 p.m. to 8 a.m., the draw shall open on signal after a twenty-four hours notice is given and from 8 a.m. to 5 p.m., on Saturday and Sunday, after an eight-hour notice is given by calling the number posted at the bridge.

\* \* \* \* \*

Dated: January 25, 2001.

**G.N. Naccara,**

*Rear Admiral, U.S. Coast Guard Commander,  
First Coast Guard District.*

[FR Doc. 01–3107 Filed 2–6–01; 8:45 am]

BILLING CODE 4910–15–P

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Parts 35 and 735

[FRL–694, 2–7]

RIN: 2030–AA55

#### Environmental Program Grants—State, Interstate, and Local Government Agencies: Delay of Effective Date

**AGENCY:** Environmental Protection Agency.

**ACTION:** Final rule; delay of effective date.

**SUMMARY:** In accordance with the memorandum of January 20, 2001, from

the Assistant to the President and Chief of Staff, entitled "Regulatory Review Plan," published in the **Federal Register** on January 24, 2001, this action temporarily delays for 60 days the effective date of the rule entitled Environmental Program Grants-State, Interstate, and Local Government Agencies, published in the **Federal Register** on January 9, 2001, 66 FR 1725. This regulation updates, clarifies, and streamlines requirements governing environmental program grants and establishes requirements for the Performance Partnership Grant (PPG) program.

**DATES:** The effective date of the Environmental Program Grants State, Interstate, and Local Government Agencies, amending 40 CFR parts 35 and 735, published in the **Federal Register** on January 9, 2001, at 66 FR 1725, is delayed for 60 days, from February 8, 2001, to a new effective date of April 9, 2001. This regulation applies to new grants awarded after April 9, 2001, and it may be applied to currently active PPGs, if agreed to in writing by the Regional Administrator and the recipient.

**FOR FURTHER INFORMATION CONTACT:** W. Scott McMoran, Grants Administration Division (3903R), United States Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460, Telephone: (202) 564–5376, [McMoran.Scott@epa.gov](mailto:McMoran.Scott@epa.gov).

**SUPPLEMENTARY INFORMATION:** The temporary 60-day delay in effective date is necessary to give Agency officials the opportunity for further review and consideration of new regulations, consistent with the Assistant to the President's memorandum of January 20, 2001. This action involves matters relating to grants and under 5 U.S.C. 553(a)(2) is thus exempt from the notice and comment requirements of the Administrative Procedure Act.

Dated: January 29, 2001.

**David J. O'Connor,**

*Acting Assistant Administrator, Office of Administration and Resources Management.*  
[FR Doc. 01–3180 Filed 2–6–01; 8:45 am]

BILLING CODE 6560–50–P