

(v)(A) Chapter 9.1, Hydrometer Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products;

(B) Chapter 9.2, Pressure Hydrometer Test Method for Density or Relative Density;

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[FR Doc. 95-20242 Filed 8-16-95; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD07-95-019]

RIN 2115-AE47

Drawbridge Operation Regulations; Okeechobee Waterway, Fort Myers, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the regulations governing the Sanibel Causeway Drawbridge, SR869, over San Carlos Bay at Punta Rassa. This proposal is being made as a result of complaints about extensive highway traffic delays caused by bridge openings. This change is intended to relieve highway congestion while still meeting the reasonable needs of navigation.

DATES: Comments must be received on or before October 16, 1995.

ADDRESSES: Comments may be mailed to Commander (oan), Seventh Coast Guard District, 909 SE 1st Avenue, Miami, FL 33131-3050, or may be delivered to Room 406 at the above address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is 305-536-6546.

The Commander, Seventh Coast Guard District maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Ian MacCartney, Project Manager, Bridge Section, at (305) 536-6546.

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 [CGD07-95-019] 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. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment 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 comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Mr. Ian MacCartney 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 Mr. Ian MacCartney, Project Manager, and Lieutenant J. M. Losego, Project Counsel.

Background and Purpose

The Sanibel Causeway Drawbridge which crosses San Carlos Bay, Okeechobee Waterway mile 151, presently opens on signal except that from 11 a.m. to 6 p.m., the draw opens only on the quarter hour and from 10 p.m. to 6 a.m., the bridge opens on demand with a 5 minute delay. In February, 1995, the Director of the Lee County Department of Transportation requested the bridge opening schedule between 7 a.m. and 7 p.m. daily be changed to open only on the hour and 30 minutes after the hour. Bridge logs and highway traffic data were provided to the Coast Guard in support of this request.

A comparison of highway traffic volumes between 1985 and 1993 indicated there has been an overall increase in traffic volume with current levels periodically exceeding highway capacity on weekday afternoons during the winter season without any bridge openings. The number of bridge openings continue to average less than two per hour with a maximum of 4 openings per hour being experienced periodically during the winter season. Based on analysis of the highway traffic and bridge opening data provided by Lee County, the Coast Guard has determined that a change in the bridge opening regulations is warranted.

Discussion of Proposed Amendments

The Coast Guard proposes to reduce the number of potential openings by authorizing the drawbridge to open only on the hour, 20 minutes after the hour and 40 minutes after the hour from 7 a.m. to 7 p.m. daily instead of the existing 15 minute daily schedule. This change is intended to relieve highway congestion while still meeting the reasonable needs of navigation.

Regulatory Evaluation

This proposal 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT (44 FR 11040; February 26, 1979) is unnecessary. We conclude this because the rule exempts tugs with tows.

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" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. 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. If, however, you think that your business or organization qualifies as a small entity and that this proposal will have significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposal will economically affect it.

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 principles and criteria contained in Executive Order 12612, and has determined that this proposal does 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) of Commandant Instruction M16475.1B, this proposal 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.

For the reasons set out in the preamble, the Coast Guard proposes to amend 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. In § 117.317, paragraph (j) is revised to read as follows:

§ 117.317 Okeechobee Waterway.

* * * * *

(j) Sanibel Causeway bridge, mile 151 at Punta Rassa. The draw shall open on signal; except that from 7 a.m. to 7 p.m., the draw need open only on the hour, twenty minutes past the hour, and 40 minutes past the hour. From 10 p.m. to 6 a.m. the draw will open on signal if at least a five minute advance notice is given. Exempt vessels shall be passed at any time.

Dated: July 21, 1995.

R.T. Rufe, Jr.,

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

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33 CFR Part 117

[CGD07-94-85]

RIN 2115-AE47

Drawbridge Operation Regulations; Okeechobee Waterway, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change regulations governing the operation of the Florida East Coast railroad bridge, at mile 38.0, at Port Mayaca, Florida, by removing the authorization for automatic operation and returning the draw to manual operation. Decreased use of the rail line has prompted the bridgeowner to propose onsite manual operation of this drawbridge for more efficient operations. This action should accommodate the needs of railroad traffic, while still providing for the reasonable needs of navigation.

DATES: Comments must be received on or before October 16, 1995.

ADDRESSES: Comments may be mailed to Commander (oan), Seventh Coast Guard District, 909 SE 1st Avenue, Miami, Florida 33131-3050, or may be delivered to room 406 at the above address between 7:30 a.m. and 4 p.m., Monday through Friday, except federal holidays. The telephone number is (305) 536-4103.

The Commander, Seventh Coast Guard District maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: Walter Paskowsky, Project Manager, Bridge Section at (305) 536-4103.

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 [CGD07-94-85] 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. If not practical, a second copy of any bound material is requested. Persons wanting acknowledgment 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 received.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Mr. Walt Paskowsky 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 Walter Paskowsky, Project Manager, and LT J. M. Losego, Project Counsel.

Background and Purpose

This bridge presently is remotely controlled by a railroad dispatcher in St. Augustine, Florida. The draw is normally in the fully open position displaying flashing green lights to indicate that vessels may pass. When a train approaches the bridge, the lights go to flashing red and a horn sounds four blasts, and then repeats four blasts. After an eight minute delay, the draw lowers and locks, providing the scanning equipment reveals nothing under the draw. The draw remains down for a period of eight minutes or while all circuits are occupied. After the train has cleared, the draw opens and the lights return to flashing green. Because of declining usage of the rail line, the bridgeowner, Florida East Coast Railroad, has requested permission to operate the span manually.

Discussion of Proposed Amendment

The draw would continue to normally remain in the fully open position displaying flashing green lights to indicate vessels may pass. When a train approaches the bridge, it would stop and the train crew would observe the waterway for boat traffic. Upon manual signal the navigation lights would go to flashing red, the horn would sound four blasts, pause, then repeat four blasts, then without delay the bridge would be lowered, providing scanning equipment reveals nothing under the draw. After the span is lowered and locked the train would proceed across, and when the last car in the train has cleared the approach track circuit, the span would raise automatically. The entire bridge operation from span down to span up would take about 13 minutes.

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. 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