

SUMMARY: The Coast Guard is hereby providing notice that the Florida Department of Transportation (FDOT) has been granted permission to temporarily deviate from the regulations governing the operation of the Fuller Warren Drawbridge, mile 25.4, Highway I10/I95 over the St. Johns River, located in the City of Jacksonville from Friday November 8, 1996, through Friday, February 7, 1997, for the purpose of evaluating the reasonableness of possible changes to the permanent regulations. This deviation authorizes the draws of the Fuller Warren Bridge to remain closed for longer periods during the morning and afternoon weekday highway commuter periods. In addition, the Fuller Warren Bridge is allowed to open only once per hour from 9 a.m. to 4 p.m. on weekdays except Federal holidays. This test will help determine whether the revised opening schedule will improve the flow of highway traffic without unreasonably impacting navigation.

DATES: The deviation is effective from November 8, 1996 through February 7, 1997. Comments must be received on or before February 7, 1997.

ADDRESSES: Comments may be mailed to Commander (oan), Seventh Coast Guard District, 909 SE 1st Avenue, Miami, Florida 33131-3050. The comments and other materials referenced in this notice will be available for inspection and copying at the above address. Normal office hours are between 9 a.m. and 4 p.m., Monday through Friday, except Federal holidays. Comments may also be hand-delivered to the above address.

FOR FURTHER INFORMATION CONTACT: Mr. Gary D. Pruitt, Project Officer, Seventh Coast Guard District, Aids to Navigation, at (305) 536-7331.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this evaluation of possible changes to the regulations governing the Fuller Warren Drawbridge operated by the State of Florida by submitting written data, view or arguments to the address above. Persons submitting comments should include their names and addresses, identify this notice [CGD7-96-069] and give the specific provision to which each comment applies, and give the reason for each comment. 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 and determine whether to initiate a rulemaking to propose a

permanent change to the drawbridge operating schedule. Persons may submit comments by writing to the Commander Seventh Coast Guard District listed under **ADDRESSES**.

Background and Purpose

The Fuller Warren Drawbridge, mile 25.4, Highway I10/I95 over the St. Johns River, located in the City of Jacksonville, Florida has a vertical clearance, in the closed position, of 44 feet above mean high water and 45 feet above mean low water (MLW). On November 6, 1996 FDOT requested a deviation from the current operating schedule in 33 CFR 117.325 in order to reduce the number of drawbridge openings that would impact the heavy volumes of highway traffic being experienced on I95. The traffic volume has doubled on this interstate highway system since 1991, reducing the Level of Service (LOS) to LOS E during weekdays. This temporary deviation to the operating regulations for the Fuller Warren Drawbridge, owned and operated by the FDOT, increases the morning and afternoon closed periods and authorizes hourly openings from 9 a.m. to 4 p.m. on weekdays. This deviation is intended to reduce highway delays. However, due to strong river currents and difficult maneuvering characteristics, tugs with tows are exempted from these restrictions. Other vessels using this reach of the St. Johns River have adequate maneuvering room to wait the hourly openings and should not be unreasonably impacted by this deviation.

The Coast Guard has granted the Florida Department of Transportation a temporary deviation from the operating regulations outlined in Title 33, Code of Federal Regulations, § 117.325 governing the Fuller Warren Drawbridge located across the St. Johns River. This deviation from normal operating regulations is authorized in accordance with the provisions of Title 33, Code of Federal Regulations, § 117.43 for the purpose of evaluating a possible change to the permanent regulations. Under this deviation, the Fuller Warren Drawbridge operated by the FDOT shall open on signal; except that, Monday through Friday except Federal holidays from 7 a.m. to 6 p.m. the draw need not open except on the hour. However, the draw need not open between 7 a.m. and 9 a.m. and between 4 p.m. and 6 p.m. Monday through Friday except Federal holidays. Tugs with tows shall be passed at any time except during the authorized weekday closures from 7 a.m. to 9 a.m. and from 4 p.m. to 6 p.m. The bridge shall open at any time for

vessels in a situation where a delay would endanger life or property.

This period of deviation is effective from November 8, 1996 through February 7, 1997.

Dated: December 27, 1996.

R.C. Olsen, Jr.,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

[FR Doc. 97-1576 Filed 1-22-97; 8:45 am]

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33 CFR Part 117

[CGD07-96-054]

RIN 2115-AE47

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, FL

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is removing the regulation governing the operation of the Coronado Beach bridge, mile 845 at New Smyrna Beach. This drawbridge has been replaced by a higher drawbridge and there is no longer a need for the regulation. Therefore, the Coast Guard is removing 33 CFR 117.261(h).

DATES: January 23, 1997.

FOR FURTHER INFORMATION CONTACT: Mr. Walt Paskowsky, Project Officer, Seventh Coast Guard District, Bridge Section, at (305) 536-4103.

SUPPLEMENTARY INFORMATION:

Regulatory History

The Coast Guard finds that in accordance with 5 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 has been replaced. 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.

Background and Purpose

The bridge regulation for the old Coronado Beach drawbridge, locally known as the north bridge, was published in the Federal Register on December 14, 1987 [52 FR 47391]. This regulation established draw times on the opening of the old Coronado Beach drawbridge. This drawbridge was replaced by a new higher bascule drawbridge which opened to auto traffic on August 26, 1996. Therefore, the regulations governing the operation of

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

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 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 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 has been replaced with a new bridge.

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. 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 bridge and is no longer necessary.

Collection of Information

This rule contains no collection-of-information requirement 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.

Environment

The Coast Guard has considered the environmental impact of this rule and has determined pursuant to section 2.B.2. of Commandant Instruction M16475.1b (as revised by 59 FR 38654, July 29, 1994), that this rule is categorically excluded from further

environmental documentation. Pursuant to this instruction, specifically section 2.B.2e.(32)(e), a Categorical Exclusion checklist and determination has been prepared and are available for inspection and copying.

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 [Amended]

2. Section 117.261(h) is removed and reserved.

Dated: December 19, 1996.

J.W. Lockwood,

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

[FR Doc. 97–1575 Filed 1–22–97; 8:45 am]

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Coast Guard

33 CFR Part 157

[CGD 91–045]

RIN 2115–AE01

Operational Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls

AGENCY: Coast Guard, DOT.

ACTION: Final rule; extension of comment period.

SUMMARY: The Coast Guard is extending the comment period on the under-keel clearance provisions contained in the operational measures final rulemaking to allow an additional 30 days for public comment.

DATES: Comments must be received on or before February 26, 1997.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G–LRA/3406) [CGD 91–045], U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2:00 p.m.; Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2:00 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

LCDR Suzanne Englebert, Project Manager, Project Development Division, at (202) 267–1492.

SUPPLEMENTARY INFORMATION:

Background and Purpose

On November 27, 1996, the Coast Guard published a partial suspension of regulation with request for comments (61 FR 60189) delaying implementation of certain under-keel clearance requirements and opening a 60 day comment period limited to the provisions of 33 CFR 157.455(a). Since publication of the partial suspension notice, the Coast Guard received a request from a regulated entity for additional information on the under-keel clearance provisions. The information requested has been added to the docket. In light of this addition, the Coast Guard is extending the comment period to allow an additional 30 days to comment on the under-keel clearance provisions.

Dated: January 17, 1997.

G.F. Wright,

Acting Director of Standards, Marine Safety and Environmental Protection.

[FR Doc. 97–1637 Filed 1–22–97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 76

[FRL–5678–1]

RIN 2060–AF48

Acid Rain Program; Nitrogen Oxides Emissions Reduction Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Final rule; correction.

SUMMARY: On December 19, 1996, the Environmental Protection Agency (EPA) promulgated emission limitations for the second phase of the Nitrogen Oxides Reduction Program under Title IV of the Clean Air Act. These emission limitations will reduce the serious adverse effects of NO_x emissions on human health, visibility, ecosystems, and materials. This action corrects the effective date and other inadvertent