

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 117****[CGD 08-99-012]****Drawbridge Operating Regulation;
Dulac 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 47 swing span drawbridge across Dulac Bayou, mile 0.6, at Dulac, Terrebonne Parish, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to close the bridge continuously from 8 a.m. on April 26, 1999 through 3 p.m. on April 30, 1999. This temporary deviation is issued to allow for the replacement of the link pins of the hydraulic pistons, as extensive but necessary maintenance operation. Presently, the draw opens on signal at all times.

DATES: This deviation is effective from 8 a.m. on April 26, 1999 through 3 p.m. on April 30, 1999.

ADDRESSES: Unless otherwise indicated, documents referred to in this notice are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

FOR FURTHER INFORMATION CONTACT: Phil Johnson, Bridge Administration Branch, telephone (504) 589-2965.

SUPPLEMENTARY INFORMATION: The SR 57 swing span drawbridge across Dulac Bayou, mile 0.6, in Dulac, Terrebonne Parish, Louisiana, has a vertical clearance of 7 feet above high water in the closed-to-navigation position and unlimited clearance in the open-to-navigation position. Navigation on the waterway consists of tugs with tows, fishing vessels, sailing vessels, and other recreational craft. The Louisiana Department of Transportation and Development requested a temporary deviation from the normal operation of the drawbridge in order to accommodate the maintenance work, involving removal and replacement of the link pins of the hydraulic pistons. This work

is essential for the continued operation of the draw span.

The District Commander has, therefore, issued a deviation from the regulations in 33 CFR 117.5 authorizing the draw of the SR 57 swing span bridge across Dulac Bayou, mile 0.6, at Dulac, Louisiana to remain in the closed to navigation position from 8 a.m. on April 26, 1999 through 3 p.m. on April 30, 1999.

Dated: March 29, 1999.

Paul J. Pluta,*Rear Admiral, U.S. Coast Guard Commander,
Eighth Coast Guard District.*

[FR Doc. 99-8474 Filed 4-5-99; 8:45 am]

BILLING CODE 4910-15-M**DEPARTMENT OF TRANSPORTATION****Coast Guard****33 CFR Part 165****[COTP Southeast Alaska 99-001]****RIN 2115-AA97****Safety Zone; Ward Cove, Tongass
Narrows, Ketchikan, AK****AGENCY:** Coast Guard, DOT.**ACTION:** Temporary final rule; request for comments.

SUMMARY: The Coast Guard is establishing a temporary safety zone encompassing the navigable waters of Ward Cove, on Tongass Narrows, Ketchikan, Alaska. The safety zone is needed to protect maritime vessels transiting the area from a potential navigation impediment created by the implosion of the Ketchikan Pulp Company's Bleach Plant, Digester and Accumulator buildings. This safety zone is established to encompass the navigable waters bounded by 55°23'58" N, 131°43'37" W, northwest across the mouth of Ward Cove to 55°24'N, 131°44'13" W and all waters inside Ward Cove east of this line. Entry into, transit through or anchoring within this Safety Zone is prohibited unless authorized by the Captain of the Port Southeast Alaska or the Coast Guard vessel on scene. The Coast Guard vessel on scene may be contacted on VHF Channel 16.

DATES: This temporary final rule becomes effective at 9 a.m. AST, on April 1, 1999, and terminates at 12:01 a.m. ADT on April 15, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Supervisor, U.S. Coast Guard, Marine Safety Detachment, 2030 Sealevel Drive, Suite 203, Ketchikan, Alaska between 8 a.m.

and 2 p.m., Monday through Friday, except Federal holidays. The telephone number is (907) 225-4496.

FOR FURTHER INFORMATION CONTACT: Lieutenant Patrick W. Clark, Supervisor, U.S. Coast Guard, Marine Safety Detachment Ketchikan, (907) 225-4496.

SUPPLEMENTARY INFORMATION:**Regulatory History**

A notice of proposed rulemaking (NPRM) was not published for this regulation. In keeping with requirements of 5 U.S.C. 553(B), the coast Guard finds that good cause exists for not publishing a NPRM. In keeping with requirements of 5 U.S.C. 553(d)(3), the Coast Guard also finds that good cause exists for making this regulation effective less than 30 days after publication in the **Federal Register**. Publication of a NPRM and delay of effective date would be contrary to the public interest because immediate action is necessary to protect the safety of the maritime vessel traffic.

Although this rule is being published as a temporary final rule without prior notice, an opportunity for public comment is nevertheless desirable to ensure the rule was both reasonable and workable. Accordingly, persons wishing to comment may do so by submitting comments to the office listed in **ADDRESSES** in this preamble. Persons submitting comments should include their names and addresses, identify this rulemaking (COTP Southeast Alaska 99-001) and the specific sections of this document to which each comment applies, and give the reason for each comment. The Coast Guard will consider all comments received and may modify future temporary final rules in view of the comments.

Background and Purpose

On April 1, 1999 at approximately 12:30 p.m. AST, Ketchikan Pulp Company will implode three of the facility's building. A 2000-foot radius safety zone is required around the demolition site to protect the maritime public from the hazards created by the activities being conducted in the area.

Regulatory Evaluation

This temporary final 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 expects the economic impact of this proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule will have a significant impact on a substantial number of small businesses and not-for-profit organizations that are not dominant in their respective fields, and governmental jurisdictions with populations less than 50,000. For the same reasons set forth in the above Regulatory Evaluation, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this temporary final rule will not have a significant economic impact on a substantial number of small entities.

Assistance for Small Entities

In accordance with sec. 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121), the Coast Guard wants to assist small entities in understanding this rule so that they can better evaluate its effectiveness in them and participate in the rulemaking process. If your small business or organization is affected by this rule and you have questions concerning its provisions or options for compliance, please contact the office listed in ADDRESSES in this preamble.

Collection of Information

This temporary final rule contains no information collection requirements under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this temporary final rule and concluded that, under figure 2-1, paragraph (34)(g), of Commandant Instruction M16475.1C, this temporary 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 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping requirements, Security measures, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR Part 165 as follows:

PART 165—[AMENDED]

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05-1(g), 6.04-1, 6.04-6, and 160.5; 49 CFR 1.46.

2. A new temporary section § 165.T17-SEAK-001 is added to read as follows:

§ 165.T17-SEAK-001 Safety Zone: Ward Cove, Tongass Narrows, Ketchikan Alaska.

(a) Location. The following area is a Safety Zone: The navigable waters of Ward Cove bounded by a line starting at the Southeast shoreline of Ward Cove at 55°23'58" N, 131°43'37" W, proceeding northwest to 55°24' N, 131°44'13" W, and all navigable waters inside Ward Cove to the east of the line.

(b) Effective dates. This regulation becomes effective at 9 a.m. AST, on April 1, 1999, and terminates at 12:01 a.m. ADT on April 15, 1999.

(c) Regulations. In accordance with the general regulations in § 165.23 of this part, entry into this safety zone is prohibited except as authorized by the captain of the Port.

Dated: March 16, 1999.

W. David Eley,

Commander, U.S. Coast Guard, Captain of the Port, Southeast Alaska.

[FR Doc. 99-8476 Filed 4-5-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-99-018]

RIN 2115-AA97

Safety Zone: Bergen County United Way Fireworks, Hudson River, Manhattan, NY

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: The Coast Guard is establishing a temporary safety zone for the Bergen County United Way

Fireworks program located on the Hudson River, Manhattan, New York. This action is necessary to provide for the safety of life on navigable waters during the event. This action is intended to restrict vessel traffic on a portion of the Hudson River.

DATES: This rule is effective from 9:30 p.m. until 11:00 p.m., on Sunday, April 11, 1999. For rain date, refer to the regulatory text set out in this rule.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at Coast Guard Activities New York, 212 Coast Guard Drive, room 205, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (718) 354-4193.

FOR FURTHER INFORMATION CONTACT: Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354-4193.

SUPPLEMENTARY INFORMATION:

Regulatory History

Pursuant to 5 U.S.C. 553, a notice of proposed rulemaking (NPRM) was not published for this regulation. Good cause exists for not publishing an NPRM and for making this regulation effective less than 30 days after **Federal Register** publication. Due to the date the Application for Approval of Marine Event was received, there was insufficient time to draft and publish an NPRM and publish the final rule 30 days before its effective date. Any delay encountered in this regulation's effective date would be contrary to public interest since immediate action is needed to close a portion of the waterway and protect the maritime public from the hazards associated with this fireworks display.

Background and Purpose

On February 24, 1999, Bay Fireworks submitted an application to hold a fireworks program on the waters of the Hudson River. The fireworks program is being sponsored by Bergen County United Way. This regulation establishes a safety zone in all waters of the Hudson River within a 360 yard radius of the fireworks barge located in approximate position 40°44'49" N 074°01'02" W (NAD 1983), approximately 500 yards west of Pier 60, Manhattan, New York. The safety zone is in effect from 9:30 p.m. until 11 p.m. on Saturday, April 10, 1999, with a rain date on Sunday, April 11, 1999, at the same time and place. The safety zone prevents vessels from transiting a portion of the Hudson River and is needed to protect boaters from the hazards associated with