would like to combine the bridge tender and train dispatcher positions in its Philadelphia office. By controlling openings of the bridge and movement of trains across the bridge from one location, AMTRAK can reduce operating costs and still closely monitor operations at the bridge.

The Coast Guard has no record of any vessel allisions with this bridge. The vessels that do use this waterway are relatively small, and it is unlikely that they could create major damage to the bridge even if a vessel/bridge allision did occur. Therefore, safety does not appear to be a concern in the evaluation of this request.

The proposed change establishes procedures and criteria for remote operation of the drawbridge, while providing mariners warning of this operation and a 24 hour-a-day point of contact for normal or emergency operation.

#### **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 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 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that the regulation will not prevent mariners from transiting the Beach Thorofare Bridge, nor will it change the present opening schedule. Rather, it will permit the bridge owner to operate the bridge remotely.

### **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" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business

concern" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impacts 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.

## **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 in accordance with the principles and criteria contained in Executive Order 12612, and has determined that this proposed regulation does not have sufficient federalism implications to warrant 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)(e) of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement and checklist has been prepared and placed in the rulemaking docket.

## List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

In consideration of the foregoing, the Coast Guard proposes to amend 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).

2. Section 117.733(e) is revised to read as follows:

# §117.733 New Jersey Intracoastal Waterway

\* \* \* \* \*

(e) The draw of the AMTRAK New Jersey Transit Rail Operation (NJTRO)

- automated railroad swing bridge, mile 68.9, across Beach Thorofare at Atlantic City shall operate as follows:
- (1) Open on signal from 11 p.m. to 6 a.m. From 6 a.m. to 11 p.m., the draw shall open on signal from 20 minutes to 30 minutes after each hour and remain open for all waiting vessels.
- (2) Opening of the draw span may be delayed for ten minutes except as provided in § 117.31(b). However, if a train is moving toward the bridge and has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.
- (3) When the bridge is not tended locally and/or is operated from a remote location, sufficient, closed-circuit TV cameras shall be operated and maintained at the bridge site to enable the remotely located bridge/train controller to have full view of both river traffic and the bridge.
- (4) Radiotelephone Channel 13 (156.65 Mhz) and 16 (156.8 Mhz) VHF–FM, shall be maintained and utilized to facilitate communication in both remote and local control locations. The bridge also shall be equipped with directional microphones and horns to receive and deliver signals to vessels within a mile that are not equipped with radiotelephones.
- (5) Whenever the remote control system equipment is partially disabled or fails for any reason, the bridge shall be physically tended and operated from local control. Personnel shall be dispatched to arrive at the bridge as soon as possible but not more than one hour after malfunction or inoperation of the remote system. Mechanical by-pass and override capability for remote operation shall be provided and maintained.
- (6) When the draw is opening, being closed, or is closed, yellow flashing lights located on the ends of the center piers shall be displayed continuously until the bridge is in the fully open position.
- 3. Appendix A to part 117 is amended by adding a new entry under the State of New Jersey in alphabetical order to read as follows: New Jersey Intracoastal Waterway.