

waterway traffic occur. Alternate routes are available to vessel operators wishing to enter the area. This work is essential for the continued safe operation of the bridge.

Regulatory Evaluation

This temporary rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost and benefits under section 6(a)(3) of that order. The Office of Management and Budget has not reviewed it 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 temporary rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This is because the majority of vessels using the waterway will not be affected by the closure. The majority of the fishing vessels are able to transit under the bridge, which has a vertical clearance of 40 feet above mean high water in the closed-to-navigation position. Additionally, larger vessels will be able to off load their cargoes downstream of the bridge site.

Small Entities

Under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the Coast Guard must consider whether this temporary rule 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. The majority of commercial vessel transit through the bridge during the hours of 8 a.m. through 5 p.m. when the bridge will open on signal. Thus, the Coast Guard expects there to be no significant economic impact on these vessels. The Coast Guard is not aware of any other waterway users who would suffer economic hardship from being unable to transit the waterway during these closure periods. Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this temporary rule will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This temporary rule 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 it has been determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this temporary rule and concluded that this action is categorically excluded from further environmental documentation under current Coast Guard CE # 32(e), in accordance with Section 2.B.2 and Figure 2-1 of the National Environmental Protection Act Implementing Procedures, COMDTINST M16475.1C. 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.

Temporary Regulations

For the reasons set out in the preamble, the Coast Guard is temporarily amending Part 117 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; and 33 CFR 1.05-1(g); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. Effective 8 a.m. on March 8, 1999 through 5 p.m. on August 31, 1999, is § 117.478 paragraph (c) is suspended and a new paragraph (d) is added to read as follows:

§ 117.478 Lower Grand River.

* * * * *

(d) The draw of the S997 bridge, mile 41.5 (Landside Route) at Pigeon, shall open on signal from 8 a.m. until 5 p.m. Monday through Friday. At all other times, the bridge shall open on signal if at least four hours notice is given.

Dated: February 12, 1999.

Paul J. Pluta

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

[FR Doc. 99-4721 Filed 2-24-99; 8:45 am]

BILLING CODE 4910-15-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD09-98-055]

RIN-2115-AE47

Drawbridge Operation Regulations; River Rouge (Short Cut Canal), Michigan

AGENCY: Coast Guard, DOT.

ACTION: Direct final rule.

SUMMARY: By this direct final rule, the Coast Guard is removing the operating regulations governing the Fort Street and Jefferson Avenue bridges, miles 1.1 and 2.2, respectively, over River Rouge in Detroit, Michigan. The regulations were found to be obsolete after construction of the Interstate 75 overpass over River Rouge. The removal of restrictive opening times during rush-hour periods will improve service to commercial vessel traffic on River Rouge.

DATES: This rule is effective on May 26, 1999, unless the Coast Guard receives written adverse comments or written notice of intent to submit adverse comments on or before April 26, 1999. If adverse comment is received, the Coast Guard will publish a timely withdrawal of this rule in the **Federal Register**.

ADDRESSES: Comments may be mailed or delivered to: Commander (obr) Ninth Coast Guard District, 1240 East Ninth Street, Room 2019, Cleveland, OH 44199-2060 between 6:30 a.m. and 3:00 p.m., Monday through Friday, except federal holidays. The telephone number is (216) 902-6084.

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

FOR FURTHER INFORMATION CONTACT: Mr. Scot M. Striffler, Project Manager, at (216) 902-6084.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting data, views or arguments for or against this rule. Persons submitting comments should include their name, address, identify this rulemaking (CGD09-98-055), the specific section of this rule to which each comment applies, and the reason(s) for each comment. The Coast Guard requests that all comments and

attachments be submitted in an 8½"x11" unbound format suitable for copying and electronic filing. If that is 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.

Regulatory Information

The Coast Guard is publishing a direct final rule, the procedures of which are outlined in 33 CFR 1.05-55, because no adverse comments are anticipated. If no adverse comments or any written notice of intent to submit adverse comment are received within the specified comment period, this rule will become effective as stated in the **DATES** section. In that case, approximately 30 days prior to the effective date, the Coast Guard will publish a notice in the **Federal Register** stating that no adverse comment was received and announcing confirmation that this rule will become effective as scheduled. However, if the Coast Guard receives written adverse comment or written notice of intent to submit adverse comment, the Coast Guard will publish in the final rule section of the **Federal Register** a timely withdrawal of this rule. If the Coast Guard decides to proceed with a rulemaking, a separate Notice of Proposed Rulemaking (NPRM) will be published and a new opportunity for comment provided.

A comment is considered "adverse" if the comment explains why this rule would be inappropriate, including a challenge to the rule's underlying premise or approach, or would be ineffective or unacceptable without a change.

Background and Purpose

This action was initiated by the International Ship Masters' Association (ISMA), an organization representing American and Canadian mariners operating on the Great Lakes, particularly those who regularly transit River Rouge. ISMA members claimed that vehicular traffic had sharply declined on Fort Street and Jefferson Avenue bridges following construction of the I-75 overpass, and that restricted bridge openings during morning and afternoon rush-hour periods were no longer necessary.

The District Commander queried local Coast Guard commands, and the owners of the bridges, for comments and observations concerning traffic patterns and impact on navigation in River Rouge. Local Coast Guard units supported ISMA's observations of conditions at the two bridges. The owners of Fort Street bridge (Michigan Department of Transportation), and

Jefferson Avenue bridge (Wayne County, MI), were contacted and asked to provide comments concerning the status of vehicular traffic on the bridge and the need for restricted bridge openings. Both owners validated the reduction in vehicular traffic over these highways and stated no objections to the Coast Guard rescinding the current operating regulations.

This action would remove the regulation in 33 CFR 117.645 in its entirety.

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 proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

This determination is made based on the fact that bridge openings were originally reduced to accommodate vehicular traffic crossing River Rouge. The Interstate overpass has effectively eliminated rush-hour congestion at this location, and subsequently restores the need for the bridge to open on signal for marine traffic.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "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.

This rule will not affect the volume of vehicular traffic in the area, nor is it expected to adversely impact any industries located on River Rouge. The companies queried by the Coast Guard expressed no objections to this action.

Therefore, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities. Any comments submitted in response to this finding will be evaluated under the criteria described earlier in the preamble for comments.

Collection of Information

This rule 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 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 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. 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 reasons set out in the preamble, 33 CFR part 117 is amended 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.

§ 117.645 [Removed]

2. Remove § 117.645.

Dated: February 8, 1999.

J.F. McGowan,

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

[FR Doc. 99-4722 Filed 2-24-99; 8:45 am]

BILLING CODE 4910-15-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[DC017-2013a; FRL-6234-6]

Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Reasonably Available Control Technology for Oxides of Nitrogen

AGENCY: Environmental Protection Agency (EPA).

ACTION: Direct final rule.