

**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Chapter I****46 CFR Chapters I and III****49 CFR Chapter IV**

[USCG-2003-14505]

**Coast Guard Transition to Department of Homeland Security; Technical Amendments Reflecting Organizational Changes****AGENCY:** Coast Guard, DHS.**ACTION:** Final rule; correction.

**SUMMARY:** The Coast Guard published in the *Federal Register* of February 28, 2003, a document concerning technical changes to various parts of titles 33 (Navigation and Navigable Waters), 46 (Shipping), and 49 (Cargo containers) of the Code of Federal Regulations. Inadvertently, four technical changes to revise chapter headings were omitted. This document adds those four changes.

**DATES:** Effective on March 1, 2003.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this rule, call James McLeod, Project Manager, Office of Regulations and Administrative Law (G-LRA), Coast Guard, at 202-267-6233. If you have questions on viewing, or submitting material to, the docket, call Dorothy Beard, Chief, Dockets, Department of Transportation, at 202-366-5149.

**SUPPLEMENTARY INFORMATION:** The Coast Guard published a document in the *Federal Register* of February 28, 2003, (68 FR 9533) making technical changes to various parts of titles 33 (Navigation and Navigable Waters) and 46 (Shipping) of the Code of Federal Regulations. We changed "Department of Transportation" to the "Department of Homeland Security" in specified sections in 33 CFR Chapter I and 46 CFR Chapter I. Inadvertently, four technical changes revising Chapter headings in Titles 33, 46, and 49 of the Code of Federal Regulations were omitted. This document adds those changes.

■ (1) In rule FR Doc. 03-4763 published on February 28, 2003, (68 FR 9533) make the following corrections. On page 9534, in the second column, change the number of amendatory instruction "1" to "1a", add the words "COAST GUARD, DEPARTMENT OF HOMELAND SECURITY" to the heading for 33 CFR Chapter I and add a new amendatory instruction 1 to read:

■ 1. The title 33, chapter I heading is revised to read as set forth above.

■ (2) On page 9535, in the second column, add the words "COAST GUARD, DEPARTMENT OF HOMELAND SECURITY" to the heading for 46 CFR Chapter I and add a new amendatory instruction 26a to read:

■ 26a. The title 46, chapter I heading is revised to read as set forth above.

■ (3) On page 9535, in the third column immediately following amendatory instruction 30, add the heading "46 CFR Chapter III—COAST GUARD (Great Lakes Pilotage), DEPARTMENT OF HOMELAND SECURITY" and add a new amendatory instruction 31 to read:

■ 31. The title 46, chapter III heading is revised to read as set forth above.

■ (4) On page 9535, in the third column immediately following amendatory instruction 31, add the heading "49 CFR Chapter IV—COAST GUARD, DEPARTMENT OF HOMELAND SECURITY" and add a new amendatory instruction 32 to read:

■ 32. The title 49, chapter IV heading is revised to read as set forth above.

Dated: March 25, 2003.

**Robert F. Duncan,***Rear Admiral, U.S. Coast Guard, Chief Counsel.*

[FR Doc. 03-8284 Filed 4-7-03; 8:45 am]

**BILLING CODE 4910-15-P****DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 117**

[CGD05-02-020]

**RIN 1625-AA09****Drawbridge Operation Regulation; Nanticoke River, Seaford, DE****AGENCY:** Coast Guard, DHS.**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is changing the regulations that govern the operation of the Norfolk Southern Railroad Bridge across the Nanticoke River, mile 39.4, in Seaford, Delaware. The final rule will increase bridge openings by extending the daytime hours of operation and reducing the required signal time for opening the draw. The change will reduce delays for navigation by allowing more draw openings.

**DATES:** This rule is effective May 8, 2003.

**ADDRESSES:** Comments and material received from the public, as well as documents indicated in this preamble as

available in the docket, are part of docket CGD05-02-020 and are available for inspection or copying at Commander (oan), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004 between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:**

Terrance Knowles, Environmental Protection Specialist, Fifth Coast Guard District, at (757) 398-6587.

**SUPPLEMENTARY INFORMATION:****Regulatory Information**

On August 6, 2002, a notice of proposed rulemaking (NPRM) entitled "Drawbridge Operation Regulations; Nanticoke River, Seaford, Delaware" was published in the *Federal Register* (67 FR 50844). No comments on the proposed rule were received. No public hearing was requested, nor held.

**Background and Purpose**

The Nanticoke River Bridge is owned and operated by Norfolk Southern Railroad. The regulation in 33 CFR 117.243 requires the railroad bridge over the Nanticoke River, mile 39.4, in Seaford, Delaware to open on signal from May 1 through September 30 from 8 a.m. to 8 p.m. and need not be opened from 8 p.m. to 8 a.m. At all times from October 1 through April 30, the draw shall open on signal if at least four hours notice is given.

The bridge connects The Town of Blades and Seaford. This bridge is one of two railroads supplying the southern Delmarva Peninsula. Mariners do not have an alternate route. The Town of Blades requested permission to increase the number of hours the bridge will be open to marine traffic due to the increased navigation on the waterway. The Town of Blades asserted that the present regulation for this bridge is too restrictive for the increased number of mariners. Blades Economic Development Commission (BEDCO) has built an 87-slip marina in the Town of Blades, upstream from the bridge. The marina is now open, and the drawbridge needs to be opened more frequently to accommodate the increased flow of maritime traffic in this area. As the flow of vessel traffic increases, the current operating schedule of the bridge may cause vessel back-ups and potential hazardous impacts on navigation. The Town of Blades also asserts that this economic development project will draw more than the 87 mariners already projected for the marina.

The Town of Blades requested permission to increase the number of hours the bridge will be open to water