services; (10) advertising services; (11) auxiliary insurance services; (12) computer and data processing services; (13) construction services; (14) data base and other information services; (15) educational and training services; (16) engineering, architectural, and surveying services; (17) financial services (purchases only); (18) industrial engineering services; (19) industrial-type maintenance, installation, alteration, and training services; (20) legal services; (21) management, consulting, and public relations services (includes expenses allocated to/from a parent and its affiliates); (22) merchanting services; (23) mining services; (24) operational leasing services; (25) trade-related services, other than merchanting services; (26) performing arts, sports, and other live performances, presentations, and events; (27) premiums paid on primary insurance (payments only); (28) losses recovered on primary insurance; (29) research and development services; (30) telecommunications services; (31) agricultural services; (32) contract manufacturing services; (33) disbursements to fund production costs of motion pictures; (34) disbursements to fund news-gathering costs and production costs of program material to fund news-gathering costs and production costs of program material online; (35) waste treatment and depollution services; and (36) other selected services.

If you submit a comment, please include the docket number for this rulemaking (USCG–2011–0698) and indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation. You may submit your comments and material online (http://www.regulations.gov), by fax, mail or hand delivery, but please use only one of these means. If you submit a comment online via http://www.regulations.gov, it will be considered received by the Coast Guard when you successfully transmit the comment. If you fax, hand deliver, or mail your comment, it will be considered as having been received by the Coast Guard when it is received at the Docket Management Facility.

To submit your comment online, go to http://www.regulations.gov, click on the “submit a comment” box, which will then become highlighted in blue. In the “Document Type” drop down menu, select “Proposed Rules” and insert “USCG–2011–0698” in the “Keyword” box. Click “Search” then click on the balloon shape in the “Actions” column. If you submit your comments by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know that they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period and may change the rule based on your comments.

Viewing Comments and Documents

To view comments, as well as documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, click on the “read comments” box, which will then become highlighted in blue. In the “Keyword” box insert “USCG–2011–0698” and click “Search.” Click the “Open Docket Folder” in the “Actions” column. You may also visit the Docket Management Facility in Room W12–140 on the ground floor of the Department of Transportation West Building, 1200 New Jersey Avenue, SE, Washington, DC, 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. We have an agreement with the Department of Transportation to use the Docket Management Facility.

Privacy Act

Anyone can search the electronic form of comments received into any of our dockets by the name of the individual submitting the comment (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review a Privacy Act notice regarding our public dockets.

Public Meeting

We do not now plan to hold a public meeting. But you may submit a request for one using one of the four methods specified under ADDRESSES. Please explain why one would be beneficial. If we determine that one would aid this rulemaking, we will hold one at a time and place announced by a later notice in the Federal Register.

For information on facilities or services for individuals with disabilities or to request special assistance at the public meeting, contact Lindsey Middleton at the telephone number or e-mail address indicated under the FOR FURTHER INFORMATION CONTACT section of this notice.

Basis and Purpose

NJDOT has requested a change in the operation regulations of the Route 30/Absecon Boulevard Bridge across Beach Thorofare, NJICW mile 67.2 and the US 40–322 (Albany Avenue Bridge) Bridge across Inside Thorofare, NJICW mile 70.0, both at Atlantic City, NJ. The Atlantic City July 4th fireworks show and the Air Show at Bader Field are annual events held in Atlantic City and heavy volumes of vehicular traffic transit across both bridges to attend them. The Coast Guard proposes to allow the above mentioned bridges to remain in the closed position from 9:40 p.m. through 11:15 p.m. on July 4th or on July 5th should inclement weather prevent the fireworks event from taking place as planned; to open every two hours on the hour from 10 a.m. until 4 p.m. and to remain in the closed position from 4 p.m. until 8 p.m. on the third or fourth Wednesday of every August.

Vessels that are able to transit under the bridges without openings may do so at any time. The Atlantic Ocean is an alternate route for vessels unable to pass through the bridges in the closed positions. Both bridges will be able to open for emergencies.

Regulatory Analyses

We developed this proposed rule after considering numerous statutes and executive orders related to rulemaking. Below we summarize our analyses based on 13 of these statutes or executive orders.

Regulatory Planning and Review

This proposed rule is not a “significant regulatory action” under section 3(f) of Executive Order 12866, Regulatory Planning and Review, as supplemented by Executive Order 13563, Improving Regulation and Regulatory Review, and does not require an assessment of potential costs and benefits under section 6(a)(3). The Office of Management and Budget has not reviewed it under those Orders. The proposed changes are expected to have minimal impact on mariners due to the short duration that the drawbridges will be maintained in the closed position and have delayed openings. Both events have been observed in past years with little to no impact on marine traffic. It is also necessary in order to facilitate public safety that allows for the orderly movement of vehicular traffic before, during, and after the events.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we have considered whether this proposed rule would have a significant economic impact on a substantial number of small entities. The term “small entities” comprises small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations of less than 50,000.

The Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule would not have a significant economic impact on a substantial number of small entities. This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels needing to transit under any of the bridges between the hours of delayed openings or closures on either event day.

This action will not have a significant economic impact on a substantial number of small entities because the rule adds minimal restrictions to the movement of navigation and mariners who plan their transits in accordance with the scheduled bridge closures can minimize delay. Vessels that can safely transit under the bridges may do so at any time.

If you think that your business, organization, or governmental jurisdiction qualifies as a small entity and that this rule would have a significant economic impact on it, please submit a comment (see ADDRESSES) explaining why you think it qualifies and how and to what degree this rule would economically affect it.

Assistance for Small Entities

Under section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), we want to assist small entities in understanding this proposed rule so that they can better evaluate its effects on them and participate in the rulemaking. If the rule would affect your small business, organization, or governmental jurisdiction and you have questions concerning its provisions or options for compliance, please contact Lindsey Middleton, Bridge Management Specialist, Fifth Coast Guard District, (757) 398–6629 or Lindsey.R.Middleton@uscg.mil. The Coast Guard will not retaliate against small entities that question or complain about this proposed rule or any policy or action of the Coast Guard.

Collection of Information

This proposed rule would call for no new collection of information under the Paperwork Reduction 44 U.S.C. 3501–3520).

Federalism

A rule has implications for federalism under Executive Order 13132. Federalism, if it has a substantial direct effect on State or local governments and would either preempt State law or impose a substantial direct cost of
energy action” under that order because
it is not a “significant regulatory action” under Executive Order 12866 and is not
likely to have a significant adverse effect on the supply, distribution, or use of
energy. The Administrator of the Office of
Information and Regulatory Affairs
has not designated it as a significant
energy action. Therefore, it does not
require a Statement of Energy Effects
under Executive Order 13211.

Technical Standards

The National Technology Transfer
and Advancement Act (NTTAA) (15
U.S.C. 272 note) directs agencies to use
voluntary consensus standards in their
regulatory activities unless the agency
provides Congress, through the Office
of Management and Budget, with an
explanation of why using these
standards would be inconsistent with
applicable law or otherwise impractical.
Voluntary consensus standards are
technical standards (e.g., specifications
of materials, performance, design, or
operation; test methods; sampling
procedures; and related management
systems practices) that are developed or
adopted by voluntary consensus
standards bodies.

This proposed rule does not use
technical standards. Therefore, we did
not consider the use of voluntary
consensus standards.

Environment

We have analyzed this proposed rule
under Department of Homeland
Security Management Directive 023–01,
and Commandant Instruction
M16475.1D which guides the Coast
Guard in complying with the National
Environmental Policy Act of 1969
(NEPA) (42 U.S.C. 4321–4370f), and
have made a preliminary determination
that this action is one of a category of
actions which do not individually or
cumulatively have a significant effect on
the human environment because it
simply promulgates the operating
regulations or procedures for
drawbridges. We seek any comments or
information that may lead to the
discovery of a significant environmental
impact from this proposed rule.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons discussed in the
preamble, the Coast Guard proposes to
amend 33 CFR part 117 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; 33 CFR 1.05–1;
Department of Homeland Security Delegation
No. 0170.1.

2. Revise § 117.733(e) and (f) to read
as follows:

§ 117.733 New Jersey Intracoastal
Waterway.

(e) The draw of the Route 30 Bridge
across Beach Thorofare, mile 67.2 at
Atlantic City, shall open on signal if at
least four hours of notice is given;
except that:

(1) From April 1 through October 31,
from 7 a.m. to 11 p.m. the draw need
only open on the hour.

(2) On July 4, the draw need not open
from 9:40 p.m. until 11:15 p.m. to
accommodate the annual July 4th
fireworks show. Should inclement
weather prevent the fireworks event
from taking place as planned, the draw
need not open from 9:40 p.m. until
11:15 p.m. on July 5th to accommodate
the annual July 4th fireworks show.

(3) On the third or fourth Wednesday
of August, the draw will open every two
hours on the hour from 10 a.m. until
4 p.m. and need not open from 4 p.m.
until 8 p.m. to accommodate the annual
Air Show.

(f) * * *

(3) On July 4, the draw need not open
from 9:40 p.m. until 11:15 p.m. to
accommodate the annual July 4th
fireworks show. Should inclement
weather prevent the fireworks event
from taking place as planned, the draw
need not open from 9:40 p.m. until
11:15 p.m. on July 5th to accommodate
the annual July 4th fireworks show.

(4) On the third or fourth Wednesday
of August, the draw will open every two
hours on the hour from 10 a.m. until
4 p.m. and need not open from 4 p.m.
until 8 p.m. to accommodate the annual
Air Show.

* * * * *

Dated: August 2, 2011.

William D. Lee,
Rear Admiral, United States Coast Guard
Commander, Fifth Coast Guard District.

[FR Doc. 2011–20499 Filed 8–11–11; 8:45 am]