DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[Docket No. USCG–2016–0113]

Drawbridge Operation Regulation; Cape Fear River, Wilmington, NC

AGENCY: Coast Guard, DHS.

ACTION: Coast Guard, DHS.

SUMMARY: Notice of deviation from drawbridge regulation.

ADDRESS: To view documents mentioned in this preamble as being available in the docket, go to http://www.regulations.gov, type [USCG–2016–0058]. In the “SEARCH” box and click “SEARCH.” Click on Open Docket Folder on the line associated with this rulemaking.

FOR FURTHER INFORMATION CONTACT: If you have questions on this rule, call or email Mr. Christopher J. Bisignano, Supervisor Bridge Management Specialist, First Coast Guard District, Coast Guard, telephone (212) 514–4331 or email Christopher.J.Bisignano@uscg.mil.

SUPPLEMENTARY INFORMATION:

I. Table of Abbreviations

II. Background Information and Regulatory History

Each year on July 1, the printed edition of Title 33 of the Code of Federal Regulations (CFR) is recodified. On July 1, 2013, the Coast Guard published a Final Rule entitled, “Navigation and Navigable Waters; Technical, Organizational, and Conforming Amendments” in the Federal Register (78 FR 39163). This 2013 rule made technical and editorial corrections throughout Title 33 but did not create any substantive requirements. In this rule the Coast Guard requested that the term “drawspan” be replaced with the actual name of the bridge (New Bedford–Fairhaven Rt-6 Bridge) in 33 CFR 117.585(a). However, misinterpretation of the asterisks in the regulatory text, which were used to denote that all paragraphs and subordinate paragraphs after paragraph (a) in § 117.585 were to remain unchanged, caused the subparagraphs (1) through (3) to be removed.

The Coast Guard is issuing this final rule without prior notice and opportunity to comment pursuant to authority under section 4(a) of the Administrative Procedure Act (APA) (5 U.S.C. 553(b)). This provision authorizes an agency to issue a rule without prior notice and opportunity to