

Docket at the location under the caption "ADDRESSES."

List of Subjects in 14 CFR Part 39

Air transportation, Aviation safety, Aircraft, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends § 39.13 of Part 39 of the FAR as follows:

1. The authority citation for Part 39 continues to read as follows:

Authority: 49 U.S.C. 1354(a), 1421 and 1423; 49 U.S.C. 106(g) (Revised, Pub. L. 97-449, January 12, 1983); and 14 CFR 11.89.

2. By adding the following new AD:

Cessna: Applies to Models P210N, P210R (Serial numbers P21000001 through and including P21000855), and T210R (Serial numbers 21064898 through and including 21064929) airplanes, certificated in any category.

Compliance: Required as indicated, unless already accomplished.

To prevent possible separation of the turbocharger oil reservoir outlet fitting and subsequent rapid loss of engine lubricating oil, accomplish the following:

(a) Prior to further flight:

(1) Remove the right side engine cowling to the extent necessary to examine the turbocharger oil reservoir.

(2) Visually inspect using a strong light the top oil outlet fitting for cracks in the vicinity of the weld securing the fitting to the upper surface of the turbocharger oil reservoir.

Note: Cracking of the turbocharger oil reservoir outlet fitting may not be evidenced by an oil leak in the vicinity of the oil reservoir installation. Therefore, inspection of the reservoir will depend upon careful cleaning in addition to the use of a strong light.

(3) If no cracks are detected in the outlet fitting of the turbocharger oil reservoir, reinspect this area at each additional 25 hours time-in-service thereafter, or in the alternative, replace the turbocharger oil reservoir as follows:

(A) For Model P210N (serial numbers P21000001 through P21000834) airplanes remove the existing reservoir and install a Cessna Part Number 2150106-32 reservoir in accordance with the installation procedures contained in Paragraphs (c)(1) through (c)(6) of this AD.

(B) For Model P210R (serial numbers P21000835 through and including P21000855), and T210R (serial numbers 21064898 through and including 21064929) airplanes remove the existing reservoir and install a Cessna Part Number 2150106-33 reservoir in accordance with the installation procedures contained in Paragraphs (c)(1) through (c)(6) of this AD.

(b) The repetitive inspections required by Paragraph (a)(3) of this AD may be discontinued when the modification in Paragraph (a)(3)(A) or Paragraph (a)(3)(B) of this AD is accomplished.

(c) If any cracks are detected in the outlet fitting in accomplishing Paragraph (a)(2) of this AD, prior to further flight, remove the existing turbocharger oil reservoir and install a Cessna Part Number 2150106-32 reservoir (for Model P210N serial numbers P21000001 through P21000834) or Part Number 2150106-33 reservoir (for Model P210R serial numbers P21000835 through and including P21000855) and Model T210R, (serial numbers 21064898 through and including 21064929) airplanes available from Cessna Aircraft Company using the following procedure:

(1) Install the check valve with the arrow pointing away from the oil reservoir outlet fitting.

(2) Use a wrench on the reservoir fitting to isolate the torque when tightening the check valve.

(3) Attach the breather vent line.

(4) Mount the rubber flexible hanger to the firewall and reservoir.

(5) Initially secure the oil inlet and outlet lines by hand. Then use a wrench on the oil reservoir inlet fitting and the check valve fitting to isolate the effects of tightening the oil scavenge hoses. Tighten the oil scavenge hoses to the turbocharger oil reservoir.

(6) Run the engine to check for oil leaks and eliminate any leaks prior to returning the airplane to service.

(d) An equivalent method of compliance may be used if approved by the Manager, Wichita Aircraft Certification Office, Federal Aviation Administration, Central Region, 1801 Airport Road, Room 100, Mid-Continent Airport, Wichita, Kansas 67209.

Cessna Single Engine Service Bulletin SE85-11, dated June 7, 1985, covers the subject matter of this AD.

This amendment becomes effective on August 9, 1985, to all persons except those to whom it has already been made effective by priority letter from the FAA dated June 6, 1985, and is identified as AD 85-11-07.

Issued in Kansas City, Missouri, on July 25, 1985.

Edwin S. Harris,

Director, Central Region.

[FR Doc. 85-18457 Filed 8-2-85; 8:45 am]

BILLING CODE 4910-13-M

14 CFR Part 91

[Docket No. 24339; Amdt. No. 91-189]

Two-Way Radio Communications Failure Procedures

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Final rule.

SUMMARY: This action amends two-way radio communications failure requirements for operations conducted under instrument flight rules (IFR) to clarify when a pilot must leave a clearance limit and begin descent and approach. The amendment incorporates improved air traffic control (ATC) procedures now in use and provides pilots with more specific information on

the actions to take in a communications failure situation.

EFFECTIVE DATE: September 4, 1985.

FOR FURTHER INFORMATION CONTACT:

Mr. Paul C. Smith, Airspace and Air Traffic Rules Branch, ATO-230, Airspace-Rules and Aeronautical Information Division, Air Traffic Operations Service, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, D.C. 20591; telephone (202) 426-8783.

SUPPLEMENTARY INFORMATION:

History

On November 28, 1984, the FAA proposed Notice No. 84-20 (49 FR 46749) to amend § 91.127 of Part 91 of the Federal Aviation Regulations (FAR) (14 CFR Part 91) to clarify when a pilot must leave a clearance limit and begin descent and approach. The previous rule, § 91.127, provided that a pilot may expect to receive either an "expect further clearance time (EFC)" or an "expect approach clearance time (EAC)" when ATC issues holding instructions. In the event of two-way radio communications failure, a pilot predicates certain actions on an EAC or EFC if one or the other is received from ATC. However, effective January 21, 1982, ATC discontinued the use of EAC's and adopted a procedure that provides pilots with a more accurate and real-time delay information, and thus, a basis for simpler and more precise actions when they experience two-way communications failure. This new ATC procedure retains the traditional use of EFC's while providing pilots with the additional information on delays that may be expected (e.g., "Expect further clearance one two one five anticipate additional two zero minute delay at (fix)"). This amendment brings the rule into line with ATC procedures which are based on the exclusive use of EFC's. Thus, this change clarifies and simplifies the rule by indicating the precise pilot responsibilities in terms of when to leave a clearance limit and when to begin the descent and approach. This amendment is the same as that proposed in the notice.

Discussion of Comments

The FAA received four comments in response to the NPRM published on November 28, 1984. All four comments were supportive of the proposal.

The Rule

This amendment to Part 91 of the FAR clarifies and simplifies the rule and provides pilots a more precise course of

action to follow when they experience two-way radio communications failure. The rule eliminates the use of "EAC" and retains the use of "EFC" which brings the rule into line with current ATC procedures.

The FAA has determined that this rule only involves a technical regulation which previously contained outdated procedures and for which this amendment was necessary to make it operationally current. It, therefore: (1) Is not a major rule under Executive Order 12291; (2) is not a significant rule under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 91

Aviation safety, Air traffic control.

The Amendment

Accordingly, pursuant to the authority delegated to me, § 91.127 of Part 91 of the Federal Aviation Regulations (14 CFR Part 91) is amended as follows:

1. The authority citation for Part 91 is revised to read as follows:

Authority: 49 U.S.C. 1301(7), 1303, 1348, 1352 through 1355, 1401, 1421 through 1431, 1471 through 1472, 1502, 1510, 1522, and 2121-2125; Articles 12, 29, 31, and 32(a) of the Convention of International Civil Aviation (61 Stat. 1180); 42 U.S.C. 4321 et seq.; E.O. 11514; 49 U.S.C. 106(g) (Revised Pub. L. 97-449, January 21, 1983); 14 CFR 11.45; and 49 CFR 1.47.

2. By removing paragraphs § 91.127 (c)(4) and (c)(5) and revising paragraph § 91.127(c)(3) to read as follows:

§ 91.127 IFR Operations; two-way radio communications failure.

* * *

(c) * * *

(3) *Leave clearance limit.* (i) When the clearance limit is a fix from which an approach begins, commence descent or descent and approach as close as possible to the expect further clearance time if one has been received, or if one has not been received, as close as possible to the estimated time of arrival as calculated from the filed or amended (with ATC) estimated time en route.

(ii) If the clearance limit is not a fix from which an approach begins, leave the clearance limit at the expect further clearance time if one has been received, or if none has been received, upon

arrival over the clearance limit, and proceed to a fix from which an approach begins and commence descent or descent and approach as close as possible to the estimated time of arrival as calculated from the filed or amended (with ATC) estimated time en route.

Issued in Washington, D.C., on July 26, 1985.

Donald D. Engen,

Administrator.

[FR Doc. 85-18460 Filed 8-2-85; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Parts 1301, 1305 and 1307

Registration of Manufacturers, Distributors and Dispensers of Controlled Substances; Registration Regarding Ocean Vessels

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Final rule.

SUMMARY: This action was necessitated by the closing of the U.S. Public Health Service (USPHS) hospital and clinic system and the discontinuance of form HSA-590, previously issued to certain maritime interests by those hospitals and clinics. This action deletes all references to HS-590, Authorization to Purchase Controlled Substances for Vessels, and establishes a new procedure whereby the master or first officer of certain vessels may purchase controlled substances for medical use aboard such vessels. It also provides for flexibility in determining the location at which a medical officer employed by the owner or operator of certain vessels, aircraft or other entities may obtain a registration from this agency.

EFFECTIVE DATE: September 4, 1985.

FOR FURTHER INFORMATION CONTACT: G.T. Gitchel, Chief, Diversion Operations Section, 1405, I Street, Northwest, Washington, D.C., 20537, telephone number (202) 633-1216.

SUPPLEMENTARY INFORMATION:

List of Subjects

21 CFR Part 1301

Administrative practice and procedure, Drug traffic control, Security measures.

21 CFR Part 1305

Drug traffic control, Reporting and recordkeeping requirements.

21 CFR Part 1307

Drug traffic control.

The USPHS hospital and clinic system was closed effective October 1, 1981. DEA was notified by the PHS that it had no plans to continue issuing form HSA-590 and that no other agency would issue these forms. Accordingly, the DEA initiated certain interim procedures to provide those vessels which had previously utilized form HSA-590 with a method of obtaining controlled substances. This was necessary because after the discontinuance of the form HSA-590, the only method remaining in the regulations (21 CFR 1301.28) for vessels, aircraft or other entities to purchase controlled substances was that they be acquired and dispensed under the general supervision of a medical officer who was licensed in a state as a physician, employed by the owner or operator of the vessel, aircraft or other entity, and registered under the Controlled Substances Act at the location of the principal office of the owner or operator of the vessel, aircraft or other entity.

While the above method is satisfactory in most instances, it does not provide a procedure for the purchase of controlled substances for vessels when no medical officer is employed by the owner or operator of a vessel, or in the event such medical officer is not accessible and the acquisition of controlled substances is required. With the discontinuance of form HSA-590, it is necessary to amend 21 CFR 1301.28 to delete all reference to that form and to provide a new procedure whereby vessels may acquire controlled substances under the above described circumstances.

Ocean going vessels purchase only limited quantities of controlled substances and this amendment affects only those vessels whose owners do not presently employ a registered medical officer to purchase controlled substances. This action is intended to clarify existing procedures and to assist the affected maritime interests, and their suppliers, by providing an alternative method of obtaining necessary controlled substances. Moreover, it will also assist those vessels whose owners wish to employ a registered medical officer by authorizing that a medical officer may be registered at a location other than the principal office of the owner or operator.

Accordingly, the Deputy Assistant Administrator of the DEA, Office of Diversion Control, hereby certifies that this amendment will have no significant negative impact upon small businesses

or other entities within the meaning and intent of the Regulatory Flexibility Act, 5 U.S.C. 501 et seq. A notice of proposed rulemaking for this action was published on pages 23451-23453 of the **Federal Register** of June 4, 1985. This notice invited comments for 30 days ending July 5, 1985. No comments were received.

Pursuant to Executive Order 12291, sections 3(c)(3) and 3(e)(2)(c) this notice of proposed rulemaking was reviewed by the Office of Management and Budget.

Therefore, pursuant to the authority vested in the Attorney General by the Controlled Substances Act, 21 U.S.C. 801, et seq., and redelegated to the Deputy Assistant Administrator of the Drug Enforcement Administration, Office of Diversion Control, Title 21 of the Code of Federal Regulations, Parts 1301, 1305 and 1307, is hereby amended as follows:

PART 1301—[AMENDED]

1. The authority citation for Part 1301 is revised to read as follows:

Authority: 21 U.S.C. 821, 822, 823, 824, 871(b), 875, 877.

2. Section 1301.28 is amended by:

A. Revising the words "or the master of the vessel" to read "or the master or first officer of the vessel," in paragraph (a) introductory text.

B. Revising paragraph (b), (c), and (d) to read as set forth below.

C. Adding paragraph (f).

§ 1301.28 Registration regarding ocean vessels.

(b) A medical officer shall be:

(1) licensed in a state as a physician;

(2) Employed by the owner or operator of the vessel, aircraft or other entity; and

(3) Registered under the Act at either of the following locations:

(i) The principal office of the owner or operator of the vessel, aircraft or other entity or

(ii) At any other location provided that the name, address, registration number and expiration date as they appear on his Certificate of Registration (DEA Form 223) for this location are maintained for inspection at said principal office in a readily retrievable manner.

(c) A registered medical officer may serve as medical officer for more than one vessel, aircraft, or other entity under a single registration, unless he serves as medical officer for more than one owner or operator, in which case he shall either maintain a separate registration at the location of the principal office of each such owner or operator or utilize one or more registrations pursuant to paragraph (b)(3)(ii) of this section.

(d) If no medical officer is employed by the owner or operator of a vessel, or in the event such medical officer is not accessible and the acquisition of controlled substances is required, the master or first officer of the vessel, who shall not be registered under the Act, may purchase controlled substances from a registered manufacturer of distributor, or from an authorized pharmacy as described in paragraph (f) of this section, by following the procedure outlined below:

(1) The master or first officer of the vessel must personally appear at the vendor's place of business, present proper identification (e.g., Seaman's photographic identification card) and a

written requisition for the controlled substances.

(2) The written requisition must be on the vessel's official stationery or purchase order form and must include the name and address of the vendor, the name of the controlled substance, description of the controlled substance (dosage form, strength and number or volume per container) number of containers ordered, the name of the vessel, the vessel's official number and country of registry, the owner or operator of the vessel, the port at which the vessel is located, signature of the vessel's officer who is ordering the controlled substances and the date of the requisition.

(3) The vendor may, after verifying the identification of the vessel's officer requisitioning the controlled substances, deliver the control substances to that officer. The transaction shall be documented, in triplicate, on a record of sale in a format similar to that outlined in paragraph (d)(4) of this section. The vessel's requisition shall be attached to copy 1 of the record of sale and filed with the controlled substances records of the vendor; copy 2 of the record of sale shall be furnished to the officer of the vessel and retained aboard the vessel; copy 3 of the record of sale shall be forwarded to the nearest DEA Division Office within 15 days after the end of the month in which the sale is made.

(4) The vendor's record of sale should be similar to, and must include all the information contained in, the below listed format.

Sale of Controlled Substances to Vessels

(Name of registrant) _____
(Address of registrant) _____
(DEA registration number) _____

Line No.	Number of packages ordered	Size of packages	Name of product	Packages distributed	Date distributed
1					
2					
3					

Line numbers may be continued according to needs of the vendor.

Number of lines completed _____
Name of vessel _____
Vessel's official number _____
Vessel's country of registry _____
Owner or operator of the vessel _____
Name and title of vessel's officer who presented the requisition _____
Signature of vessel's officer who presented the requisition _____

(f) Any registered pharmacy which wishes to distribute controlled

substances pursuant to this section shall be authorized to do so, provided that:

(1) The registered pharmacy notifies the nearest Division Office of the Administration of its intention to so distribute controlled substances prior to the initiation of such activity. This notification shall be by registered mail and shall contain the name, address, and registration number of the pharmacy as well as the date upon which such activity will commence; and

(2) Such activity is authorized by state law; and

(3) The total number of dosage units of all controlled substances distributed by the pharmacy during any calendar year in which the pharmacy is registered to dispense does not exceed the limitations imposed upon such distribution by § 1307.11(a)(4) and (b) of this chapter.

PART 1305—[AMENDED]

3. The authority citation for Part 1305 is revised to read as follows:

Authority: 21 U.S.C. 821, 828, 871(b).

4. Section 1305.03 is amended by revising paragraph (e) to read as follows:

§ 1305.03 Distributions requiring order forms.

(e) The purchase of such substances by the master or first officer of a vessel pursuant to § 1301.28 of this chapter: Provided, that copies of the record of sale are generated, distributed and preserved by the vendor according to that section.

PART 1307—[AMENDED]

5. The authority citation for Part 1307 is revised to read as follows:

Authority: 21 U.S.C. 821, 822(d), 871(b).

6. In § 1307.11, paragraphs (a)(4) and (b) are revised to read as follows:

§ 1307.11 Distribution by dispenser to another practitioner.

(a) * * *

(4) The total number of dosage units of all controlled substances distributed by the practitioner pursuant to this section and § 1301.28 of this chapter during each calendar year in which the practitioner is registered to dispense does not exceed 5 percent of the total number of dosage units of all controlled substances distributed and dispensed by the practitioner during the same calendar year.

(b) If, during any calendar year in which the practitioner is registered to dispense, the practitioner has reason to believe that the total number of dosage units of all controlled substances which will be distributed by him pursuant to this section and § 1301.28 of this chapter will exceed 5 percent of the total number of dosage units of all controlled substances distributed and dispensed by him during that calendar year, the practitioner shall obtain a registration to distribute controlled substances.

Dated: July 18, 1985.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control.

[FR Doc. 85-18496 Filed 8-2-85; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 100**

[CGD2 85-29]

Special Local Regulations; Busch World Championship Grand Prix Races

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: Special local regulations are being adopted for Miles 14.8 to 15.4, Meramec River. "Busch World Championship Grand Prix Races", an approved marine event, will be held on August 10 and 11, 1985, at George G. Winter Park and Lake, Fenton, Missouri. These special local regulations are needed to provide for the safety of life and property on navigable waters during the event.

EFFECTIVE DATES: These regulations will be effective from 8:00 a.m. on August 10, and terminate at 6:00 p.m. on August 11, 1985.

FOR FURTHER INFORMATION CONTACT: LCDR. B. J. Willis, Chief, Boating Technical Branch Second Coast Guard District, 1430 Olive St., St. Louis, MO 63103, (314) 425-5971.

SUPPLEMENTARY INFORMATION: These special local regulations are issued pursuant to 33 U.S.C. 1233 and 33 CFR Part 100.35, for the purpose of promoting the safety of life and property on the Meramec River between miles 14.8 and 15.4 during "Busch World Championship Grand Prix Races", August 10 and 11, 1985. This event will consist of high speed boat races which could pose hazards to navigation in the area. Therefore, these special local regulations are deemed necessary for the promotion of safety of life and property in the area during this event. A notice of proposed rule making has not been published for these regulations and they are being made effective prior to the date of publication. Following normal rule making procedures would have been impracticable. The necessity of special regulations was not evident until July 22, 1985, and there was insufficient time in which to publish proposed rules in advance of the event, or to provide for a delayed effective date. These regulations have been reviewed under the provisions of Executive Order 12291 and have been determined not to be a major rule. This conclusion follows from the fact that the duration of the regulated area is short. In addition, these regulations are considered to be nonsignificant in accordance with guidelines set forth in

the Policies and Procedures for Simplification, Analysis, and Review of Regulations (DOT Order 2100.5 of 5-22-80). An economic evaluation has not been conducted since, for the reasons discussed above, its impact is expected to be minimal. In accordance with the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), it is also certified that these rules will not have a significant economic impact on a substantial number of small entities. This rule is necessary to ensure the protection of life and property in the area during the event.

Drafting Information

The drafters of this regulation are BMCW. L. Giessman, USCGR, project officer, Boating Technical Branch, and LT. R. E. Kilroy, USCG, project attorney, Second Coast Guard District Legal Office.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation [water].

Regulations

In consideration of the foregoing, Part 100 of Title 33, Code of Federal Regulations, is amended by adding a temporary section 100.35-0229 to read as follows:

PART 100—SAFETY OF LIFE ON NAVIGABLE WATERS

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 U.S.C. 108; 33 CFR 100.35; 49 CFR 1.46(b).

2. Section 100.35-0229 is revised to read as follows:

§ 100.35-0229 Meramec River, miles 14.8 through 15.4.

(a) *Regulated Area.* The area between Mile 14.8 and 15.4 Meramec River is designated the regatta area, and may be closed to commercial and recreational navigation or mooring between the hours of 8:00 a.m. August 10 and 6:00 p.m. August 11, 1985. All times listed are local time. These times represent a guideline for possible intermittent river closures not to exceed FOUR (4) hours in duration. Mariners will be afforded enough time between such closure periods to transit the area in a timely manner.

(b) *Special Local Regulations.* The Coast Guard will maintain a patrol consisting of regular and auxiliary Coast Guard vessels in the regatta area. This patrol will be under the direction of a designated Coast Guard Patrol Commander. The Patrol Commander may be contacted on Channel 16 (156.8

MHZ) by the call sign "Coast Guard Patrol Commander". Vessels desiring to transit the regulated area may do so only with prior approval of the Patrol Commander and when so directed by that officer. Vessels will be operated at a no wake speed to reduce the wake to a minimum and in a manner which will not endanger participants in the event or any other craft. The rules contained in the above two sentences shall not apply to participants in the event or vessels of the patrol operating in the performance of their assigned duties.

(c) The Patrol Commander may direct the anchoring, mooring or movement of any boat or vessel within the regatta area. A succession of sharp, short signals by whistle or horn from vessels patrolling the area under the direction of the U.S. Coast Guard Patrol Commander shall serve as a signal to stop. Vessels so signalled shall stop and shall comply with the orders of the Patrol Vessel. Failure to do so may result in expulsion from the area, citation for failure to comply, or both.

(d) The Patrol Commander may establish vessel size and speed limitations and operating conditions.

(e) The Patrol Commander may restrict vessel operation within the regatta area to vessels having particular operating characteristics.

(f) The Patrol Commander may terminate the marine event or the operation of any vessel at any time it is deemed necessary for the protection of life and property.

(g) This § 100.35-0229 will be effective from 8:00 a.m. August 10, and terminate at 6:00 p.m. on August 11, 1985 (local time).

Dated: July 24, 1985.

R.J. Collins,

Captain, U.S. Coast Guard, Acting
Commander, Second Coast Guard District.

[FR Doc. 85-18495 Filed 8-2-85; 8:45 am]

BILLING CODE 4910-14-M

33 CFR Part 117

[CCGD13 85-02]

Drawbridge Operation Regulations; Columbia River, Automated Railroad Bridge Between Celilo, OR, and Wishram, WA

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: At the request of the Burlington Northern Railroad Company, the Coast Guard is adding regulations governing the Burlington Northern railroad drawbridge across the Columbia River, mile 201.2, between

Celilo, Oregon, and Wishram, Washington, to accommodate automated operation of the drawspan. This change is being made because the Burlington Northern Railroad Company can realize substantial savings in costs by operating the bridge automatically. This action will relieve the bridge owner of the burden of having a person constantly available to open or close the draw and will still provide for the reasonable needs of navigation.

EFFECTIVE DATE: These regulations become effective on September 4, 1985.

FOR FURTHER INFORMATION CONTACT: John E. Mikesell, Chief, Bridge Section, Aids to Navigation Branch (Telephone: (206) 442-5864).

SUPPLEMENTARY INFORMATION: On March 7, 1985, the Coast Guard published proposed rules (50 FR 9209) concerning this amendment.

The Commander, Thirteenth Coast Guard District, also published the proposal as a Public Notice dated March 19, 1985. In each notice interested persons were given until April 22, 1985 to submit comments.

Drafting Information

The drafters of these regulations are: John E. Mikesell, project officer, and Lieutenant Commander Judith M. Hammond, project attorney.

Discussion of Comments

Four responses were received to the Federal Register and Coast Guard Public Notice. One respondent, a Federal agency, offered no objection to the proposal. Two respondents, did object to the proposal. A private party commented that automation would not work with the existing electrical circuitry; this objection was determined to be meritless. A local port authority objected because of the concerns over reliability of an automated drawspan and the additional burden placed on waterway users. These objections were likewise deemed unfounded, based on the experience of a similar automated drawspan between Pasco and Burbank, Washington. The fourth respondent, a towboat operator, felt that Burlington Northern should give prior announcement of bridge closures by marine radio. This was considered and rejected because adequate advance information on closures can be obtained by vessel operators, without relying on routine broadcasts by the bridge operator, from Burlington Northern via radiotelephone or telephone. Minor editorial changes were made in the final rule by the drafters to improve the overall clarity of the rule.

Economic Assessment and Certification

These regulations are considered to be nonmajor under Executive Order 12291 on Federal Regulation and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979).

The economic impact has been found to be so minimal that a full regulatory evaluation is unnecessary. Other than the Burlington Northern Railroad Company and navigation interests, there are no known businesses, including small entities, that would be affected by the proposed change. There are only minimal impacts on navigation and Burlington Northern would benefit from the change because it would be relieved of the burden of providing a salaried, full-time operator for bridge openings and closures. Since the economic impact of these regulations is expected to be minimal, the Coast Guard certifies that they will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, Part 117 of Title 33, Code of Federal Regulations, 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; and 49 CFR 1.46(c)(5) and 33 CFR 1.05-1(g)(3).

2. Section 117.869(c) is added to read as follows:

§ 117.869 Columbia River.

(c) The draw of the Burlington Northern railroad bridge, mile 201.2, between Celilo, Oregon, and Wishram, Washington, is automated and is normally maintained in the fully open-to-navigation position.

(1) *Lights.* All lights required for automated operation shall be visible to marine traffic for a distance of at least 2 miles and shall be displayed at all times, day and night.

(i) When the draw is fully open, a steady green light shall be displayed at the center of the drawspan on both upstream and downstream sides.

(ii) When the draw is not fully open, a steady red light shall be displayed at the center of the drawspan on both upstream and downstream sides.