

Dated: June 26, 2001.

**Piet deWitt,**

*Acting Assistant Secretary, Land and Minerals Management.*

For the reasons stated in the preamble, the Minerals Management Service proposes to amend 30 CFR Part 250 as follows:

## **PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF**

1. The authority citation for part 250 continues to read as follows:

**Authority:** 43 U.S.C. 1331, *et seq.*

2. In § 250.108, the following changes are made:

A. Revise paragraph (a) as set forth below.

B. Redesignate paragraph (b) as paragraph (e).

C. Add new paragraphs (b), (c), (d), and (f) as set forth below.

### **§ 250.108 What requirements must I follow for cranes and other material-handling equipment?**

(a) If you operate a crane installed on a fixed offshore platform, you must follow the American Petroleum Institute's Recommended Practice for Operation and Maintenance of Offshore Cranes (API RP 2D).

(b) If you install a new crane on a fixed offshore platform, the new crane must meet the requirements detailed in the American Petroleum Institute's Specification for Offshore Cranes (API Spec 2C).

(c) You must equip a crane, installed on a fixed offshore platform before [Date 30 days after the date of publication of the final rule], with an anti-two block safety device by [Date 1 Year and 30 days after the date of publication of the final rule].

(d) You must maintain records specific to a crane or the operation of a crane installed on a fixed offshore platform, as follows:

(1) Keep the qualification records of the crane operator and all rigger personnel at the fixed offshore platform for at least 4 years; and

(2) Keep all design, construction, inspection, maintenance, and testing records, including installation records for any anti-two block safety devices, for the life of the crane at the fixed offshore platform.

\* \* \* \* \*

(f) For information on all standards mentioned in this section, see § 250.198.

3. In § 250.198, the following document incorporated by reference is added to the table in paragraph (e) in alphanumeric order.

### **§ 250.198 Documents incorporated by reference.**

\* \* \* \* \*  
(e) \* \* \*

| Title of documents  | Incorporated by reference at |
|---|------------------------------|
| API Spec 2C, Specification for Offshore Cranes, Fifth Edition, April 1, 1995, API Stock No. G02C05 .... | § 250.108(a), (b).           |
| * * * * *   | * * * * *                    |

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## **DEPARTMENT OF TRANSPORTATION**

### **Coast Guard**

#### **33 CFR Part 117**

[CGD7-01-056]

RIN 2115-AE47

### **Drawbridge Operation Regulations: Snake Creek Drawbridge, Islamorada, FL**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating regulations of the Snake Creek drawbridge (US 1) connecting Windley Key with Plantation Key at Islamorada, Florida. This rule would allow the drawbridge to open on signal except that from 7 a.m. until 6 p.m., the draw can open on the hour and half-hour. This action is intended to improve the movement of vehicular traffic while not unreasonably interfering with the movement of vessel traffic.

**DATES:** Comments and related material must reach the Coast Guard on or before September 17, 2001.

**ADDRESSES:** You may mail comments and related material to Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, are part of docket [CGD07-01-056] and are available for inspection or copying at Commander (obr), Seventh Coast Guard District, 909 S.E. 1st Avenue, Room 406, Miami, FL 33131 between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. Barry Dragon, Bridge Branch, 909 SE 1st

Ave, Miami, FL 33130, telephone number 305-415-6743.

### **SUPPLEMENTARY INFORMATION:**

#### **Request for Comments**

We encourage you to participate in this rulemaking by submitting comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking [CGD07-01-056], indicate the specific section of this document to which each comment applies, and give the reason for each comment. Please submit all comments and related material in an unbound format, no larger than 8½ by 11 inches, suitable for copying. If you would like to know they reached us, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this proposed rule in view of them.

#### **Public Meeting**

We do not now plan to hold a public meeting. But you may submit a request for a meeting by writing to Bridge Branch, Seventh Coast Guard District, 909 SE 1st Ave, Room 406, Miami, FL 33131, explaining 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**.

#### **Background and Purpose**

The Snake Creek bascule bridge is a two lane narrow undivided arterial roadway, which is the only roadway into and out of the Florida Keys and is already severely congested due to insufficient capacity. Existing operating schedule is on demand and can be found at 33 CFR 117.5. The proposed rule will allow the bridge owner to open the bridge on the hour and half hour during the heavy vehicle traffic period from 7 a.m. until 6 p.m.

#### **Discussion of Proposed Rule**

The proposed rule allows the bridge to open on signal except that from 7 a.m. until 6 p.m. the bridge can open on the hour and half-hour. This should aid in the movement of traffic across the bridge, while not unreasonably interfering with the movement of vessel traffic through the draw.

#### **Regulatory Evaluation**

This proposed 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. 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).

We expect 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.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601–612), we 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.

This proposed rule would affect the following entities, some of which might be small entities: the owners or operators of vessels intending to transit under the Snake Creek bridge during the hours of 7 a.m. to 6 p.m. 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 because the number of openings that occur during the proposed period of additional regulations is less than twice per hour and the maximum waiting time will be 30 minutes.

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 the person listed under **FOR FURTHER INFORMATION CONTACT**.

#### Collection of Information

This proposed rule would call for no new collection of information under the

Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3520).

#### Federalism

We have analyzed this proposed rule under Executive Order 13132 and have determined that this rule does not have implications for federalism under that order.

#### Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1531–1538) governs the issuance of Federal regulations that require unfunded mandates. An unfunded mandate is a regulation that requires a State, local, or tribal government or the private sector to incur direct costs without the Federal Government's having first provided the funds to pay those costs. This proposed rule would not impose an unfunded mandate.

#### Taking of Private Property

This proposed rule would not effect a taking of private property or otherwise have taking implications under Executive Order 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

#### Civil Justice Reform

This proposed rule meets applicable standards in sections 3(a) and 3(b)(2) of Executive Order 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

#### Protection of Children

We have analyzed this proposed rule under Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks. This rule is not an economically significant rule and does not concern an environmental risk to health or risk to safety that may disproportionately affect children.

#### Environment

We considered the environmental impact of this proposed rule and concluded that, under figure 2–1, paragraph (32)(e) of Commandant Instruction M16475.1C, this proposed rule is categorically excluded from further environmental documentation.

#### Indian Tribal Governments

This rule does not have tribal implications under Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, because it does not have a substantial direct effect on one or more Indian tribes, on the relationship between the

Federal Government and Indian tribes, or on the distribution of power and responsibilities between the Federal Government and Indian tribes.

#### Energy Effects

We have analyzed this proposed rule under Executive Order 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. We have determined that it is not a “significant 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. It has not been designated by the Administrator of the Office of Information and Regulatory Affairs as a significant energy action. Therefore, it does not require a Statement of Energy Effects under Executive Order 13211.

#### 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; 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.

2. Section 117.331 is added to read as follows:

#### § 117.331 Snake Creek.

The draw of the Snake Creek bridge at Islamorada, shall open on signal, except that from 7 a.m. to 6 p.m. the draw need open only on the hour and the half-hour. Public vessels of the United States and vessels in distress shall be passed through the draw as soon as possible.

Dated: July 2, 2001.

**James S. Carmichael,**

*Rear Admiral, U.S. Coast Guard, Commander, Seventh Coast Guard District.*

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