

District has examined the operating requirements listed in 33 CFR 117.911(f) governing the Lady's Island Bridge and has determined that the revised schedule is appropriate for local conditions and should balance the needs of vehicular and vessel traffic. Under this interim rule, from Monday through Friday except Federal holidays, the Lady's Island Bridge will open on signal except that during the morning and afternoon rush hours from 7:30 a.m. to 9 a.m. and 4 p.m. to 6 p.m., the draw need not open. Between rush hours, the draw need only open twice an hour. At all other times, the draw will open on signal. The draw shall open at any time for public vessels of the United States, State and local vessels used in public safety, and vessels in distress where a delay would endanger life or property.

In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking (NPRM) for this interim rule. Publishing a NPRM would unnecessarily delay the implementation of the revised bridge opening schedules, since tests have indicated that this operating schedule would balance the needs of vehicular traffic and navigation. The public will have an opportunity to comment on the rule during the first 120 days of its implementation, and changes to the rule may be made before it is finalized.

Regulatory Evaluation

This rule is not a significant regulatory action under the regulatory 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. It has not been reviewed by the Office of Management and Budget 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). The Coast Guard expects the economic impact of this 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 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include 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 interim rule is a reasonable balance between waterway and land

transportation. Therefore, because it expects the impact of this rule to be so minimal, the Coast Guard certifies that under 5 U.S.C. 604(b) this rule will not have a significant economic impact on a substantial number of small entities.

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

Collection of Information

This rule contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this rule under the principals and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this rule and has determined, under Figure 2-1, paragraph (32)(e) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. A "Categorical Exclusion Determination" has been prepared and is available in the docket for inspection or copying.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations: In consideration of the foregoing, the Coast Guard amends Part 117 of Title 33, Code of Federal Regulations, as follows:

PART 117—[AMENDED]

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. Revise § 117.911(f) to read as follows:

§ 117.911 Atlantic Intracoastal Waterway, Little River to Savannah River.

* * * * *

(f) *Lady's Island Bridge, across the Beaufort River, Mile 536.0 at Beaufort.* The draw shall operate as follows:

(1) On Monday through Friday, except Federal holidays:

(i) from 7:30 a.m. to 9 a.m. and 4 p.m. to 6 p.m., the draw need not open; and,
(ii) from 9 a.m. to 4 p.m., the draw need open only on the hour and half-hour.

(2) At all other times the draw shall open on signal.

Dated: July 13, 1999.

Thad W. Allen,

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

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-98-091]

RIN 2115-AE47

Drawbridge Operation Regulations; Hackensack River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the drawbridge operation regulations governing the S46 Bridge, mile 14.0, across the Hackensack River at Little Ferry, New Jersey to open on signal after a twenty four hour advance notice is given by calling the number posted at the bridge. There have been no requests to open the S46 Bridge since 1978. This rule is expected to relieve the bridge owner of the requirement to crew the bridge and still meet the needs of navigation.

DATES: This final rule is effective August 19, 1999.

ADDRESSES: Documents as indicated in this preamble are available for inspection or copying at the First Coast Guard District Office, 408 Atlantic Avenue, Boston, MA, 02110-3350, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364.

FOR FURTHER INFORMATION CONTACT: Mr. John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Regulatory History

On February 18, 1999, the Coast Guard published a notice of proposed rulemaking entitled drawbridge operation regulations; Hackensack River, NJ, in the **Federal Register** [64 FR 8033]. The Coast Guard received no letters commenting on the proposed rulemaking. A hearing was not requested and none was held.

Background and Purpose

The S46 Bridge, at mile 14.0, in Little Ferry, New Jersey, has a vertical clearance of 35 feet at mean high water and 40 feet at mean low water. The existing operating regulations for the S46 Bridge, listed at § 117.723(f), require the bridge to open on signal, if at least six (6) hours advance notice is given.

The Coast Guard is changing the regulations to require that the S46 Bridge open on signal after a twenty four hour notice is given. The bridge owner, the New Jersey Department of Transportation, asked the Coast Guard to change the regulations to require a twenty four hour notice for bridge openings because there have been no requests to open this bridge since 1978. The Coast Guard believes this change to the regulations is reasonable because the bridge owner has not received a request to open the bridge since 1978.

Discussion of Comments and Changes

The Coast Guard received no letters commenting on the notice of proposed rulemaking and no changes have been made to this final rule.

Regulatory Evaluation

This final 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. It has not been reviewed by the Office of Management and Budget under that Order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; Feb. 26, 1979). The Coast Guard expects the economic impact of this final rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that no requests to open this bridge have been made since 1978.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this final rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000. Therefore, for reasons stated in the Regulatory Evaluation section above, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this final rule will not have a significant economic

impact on a substantial number of small entities.

Collection of Information

This final rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this final rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this final rule and concluded that, under Section 2.B.2, Figure 2-1, paragraph (32)(e), of Commandant Instruction M16475.1C, this final rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found not to have a significant effect on the environment. A written "Categorical Exclusion Determination" is not required for this final rule.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

For the reasons set out in the preamble, the Coast Guard amends 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 117.723(f) is revised to read as follows:

§ 117.723 Hackensack River.

* * * * *

(f) Except as provided in paragraph (a)(1) of this section, the draw of the S46 Bridge, at mile 14.0, in Little Ferry, shall open on signal if at least a twenty four hour advance notice is given by calling the number posted at the bridge.

* * * * *

Dated: June 30, 1999.

R.M. Larrabee,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 99-18497 Filed 7-19-99; 8:45 am]

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POSTAL SERVICE

39 CFR Part 111

Domestic Mail Manual Changes To Implement Nonprofit and Classroom Periodicals Classification Changes and Notice of Refund Procedures

AGENCY: Postal Service.

ACTION: Final rule.

SUMMARY: This document sets forth the changes to the Domestic Mail Manual to implement the July 12, 1999, Decision of the Governors of the United States Postal Service on the Recommended Decision of the Postal Rate Commission (PRC) on Periodicals Classification Changes. In addition, it contains procedures for obtaining refunds for the difference between postage paid on certain mailings at Periodicals Nonprofit or Classroom rates and postage computed at Periodicals Regular rates on those same mailings.

EFFECTIVE DATE: August 1, 1999.

FOR FURTHER INFORMATION CONTACT: Jerry Lease, 202-268-5188.

SUPPLEMENTARY INFORMATION: On April 9, 1999, the Postal Service filed with the PRC a request for a recommended decision on Periodicals classification changes designed to provide a remedy to a rate anomaly resulting from the last omnibus rate case, Docket No. R97-1. The PRC designated the filing as Docket No. MC99-3. On April 23, 1999, the PRC published a notice of the filing, with a description of the Postal Service's proposal, in the **Federal Register** (64 FR 13613).

On June 23, 1999, the PRC issued to the Governors of the Postal Service its recommended decision on the Postal Service's request. The PRC recommended the changes proposed by the Postal Service. On July 12, 1999, the Governors of the United States Postal Service voted to approve the PRC's recommendations, and the Board of Governors set an effective date of August 1, 1999.

This final rule contains the Domestic Mail Manual (DMM) standards adopted by the Postal Service to implement the Governors' decision. The revised DMM standards take effect on August 1, 1999.

Because of the unusual circumstances of this anomaly, the Postal Service has also decided to make refunds available for the excess of postage paid using Nonprofit or Classroom rate schedules over postage computed using the Regular rate schedule. These circumstances include the following. The anomaly was an unintended byproduct of the highly complex Periodicals rate design process,