

comments and related material. If you do so, please include your name and address, identify the docket number for this rulemaking (CCGD5-02-065), 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 the Commander, Fifth Coast Guard District at the address under **ADDRESSES** 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

CONRAIL, who owns and operates this movable (swing-type) bridge, requested changes to the operating procedure for the drawbridge located at mile 2.0 across Raccoon Creek, in Bridgeport, New Jersey. Currently, Title 33 Code of Federal Regulations (CFR) Part 117.741 requires the bridge to open on signal from March 1 through November 30 from 7 a.m. to 11 p.m. At all other times, the draw must open on signal if at least four hours notice is given. The draw must open at all times as soon as possible for passage of a public vessel of the United States.

In late September 2002, CONRAIL will be installing a new Programmable Logic Controller and associated mechanical, electrical and signal apparatus on the CONRAIL Railroad Bridge over Raccoon Creek in Bridgeport, New Jersey. The proposal would allow a radio-controlled system to operate the opening and closing of the swing span, which would be controlled from the cab of the locomotive. From March 1 through November 30, the swing bridge will normally be left in the fully opened position displaying flashing green channel lights indicating that vessels may pass through. At all other times, the draw the CONRAIL Railroad Bridge need only open on signal if at least four hours notice is given by calling (856) 231-2393.

When a train approaches the bridge, it will stop and a train crewmember will

observe the waterway for approaching craft, which will be allowed to pass. The train crewmember will then enter a prearranged code number using a radio keypad. The radio code will send a radio signal to the Programmable Logic Controller attached to the bridge, which will begin the process of closing the bridge. At that time, the bridge channel lights will change from flashing green to flashing red, a horn blast will sound four times, followed by a pause, then the four horn blasts will be repeated and the bridge will close. Once closed, the train will proceed across the bridge. After the train has cleared the swing span, which is approximately 300 feet from the bridge, the horn will automatically sound five times to indicate the span of the bridge is about to return to the full open position. Channel traffic lights would change from flashing green to flashing red any time the bridge is not in the full open position. In the full open position, the channel traffic lights will turn from flashing red to flashing green.

This change is being requested to make the closure process of the CONRAIL Railroad Bridge be more efficient during train crossings and periodic maintenance and to save operational costs by eliminating bridge tenders while providing greater bridge operating capabilities.

Discussion of Proposed Rule

The Coast Guard proposes to revise 33 CFR 117.741, which governs the Route 130 highway bridge, mile 1.8 and the CONRAIL Railroad bridge at mile 2.0, both across Raccoon Creek in Bridgeport, New Jersey. From March 1 through November 30 from 7 a.m. to 11 p.m., the draw of both bridges currently open on signal. At all other times, the draws shall open on signal if at least four hours notice is given. The draws shall open at all times as soon as possible for passage of a public vessel of the United States.

The current paragraph would be divided into paragraphs (a) and (b). Paragraph (a) would contain the existing rule for the Route 130 highway bridge, mile 1.8, at Bridgeport and would state that the draw of shall open on signal from March 1 to November 30. At all other times, the draw shall open on signal if at least four hours notice is given.

Paragraph (b) would contain the proposed rule for the CONRAIL Railroad Bridge, mile 2.0, at Bridgeport. The proposed rule would require the draw of the CONRAIL Railroad Bridge, mile 2.0, at Bridgeport, to be operated by a train crewmember. From March 1 through November 30, the bridge would

be left in the open position and would only close for the passage of trains and to perform periodic maintenance authorized in accordance with subpart A of this part.

At all other times, the draw of the CONRAIL Railroad Bridge need only open on signal if at least four hours notice is given by calling (856) 231-2393.

When the CONRAIL Railroad Bridge closes for any reason, a train crewmember will assist in observing the waterway for approaching craft, which will be allowed to pass. The train crewmember will then operate the bridge by control radiophone.

The CONRAIL Railroad Bridge would only be closed if the train crewmember's visual inspection shows that the channel is clear and there are no vessels transiting in the area.

While the CONRAIL Railroad Bridge is moving from the full open position to the full closed position, the train crewmember will maintain constant surveillance of the navigation channel to ensure no conflict with maritime traffic exists. In the event of failure or obstruction, the train crewmember will stop and return to the full open position.

The CONRAIL Railroad Bridge channel traffic lights would change from flashing green to flashing red any time the bridge is not in the full open position. During span movement, the channel traffic lights would change from flashing green to flashing red, the horn will sound four times, followed by a pause, then the four blasts will be repeated and the bridge will close.

When the rail traffic has cleared, the horn will automatically sound five times to indicate that the draw of the CONRAIL Railroad Bridge is about to return to its full open position. During the open span movement, the channel traffic lights would turn from flashing green to flashing red, the horn will sound four times, followed by a pause, then four repeat blasts of the horn until the bridge is in the full open position. In the full open position, the bridge channel traffic lights will turn from flashing red to flashing green. After the train has cleared the bridge by leaving the track circuit, any delay in opening of the draw shall not exceed ten minutes except as provided in 33 CFR 117.31(b).

The surplus language currently stated in 33 CFR 117.741 would be removed to be consistent with the general operating regulations under 33 CFR 117.31. The Coast Guard intends to delete the phrase "the draws shall open on signal as soon as possible for passage of a public vessel of the United States." This requirement is currently published in 33 CFR