

Dated: November 13, 2003.

K.J. Eldridge,

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

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[CGD05-03-121]

RIN 1625-AA09

Drawbridge Operation Regulations; Mantua Creek, NJ

AGENCY: Coast Guard, DHS.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the regulations that govern the operation of the Consolidated Rail Corporation (CONRAIL) Railroad Bridge across Mantua Creek at mile 1.4, in Paulsboro, New Jersey. The proposed rule would increase vessel openings and eliminate the need for a bridge tender by allowing the bridge to be operated by a train crewmember. This change will provide for the reasonable needs of navigation.

DATES: Comments and related material must reach the Coast Guard on or before January 26, 2004.

ADDRESSES: You may mail comments and related material to Commander (oan-b), Fifth Coast Guard District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or they may be hand delivered to the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal Holidays. The telephone number is (757) 398-6222. The Commander (oan-b), Fifth Coast Guard District maintains the public docket for this rulemaking. Comments and material received from the public, as well as documents indicated in this preamble as being available in the docket, will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT:

Waverly W. Gregory, Jr., Bridge Administrator, Fifth Coast Guard District, at (757) 398-6222.

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 (CGD05-03-121), 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 1.4 across Mantua Creek, in Paulsboro, New Jersey. Currently, 33 CFR 117.729(a) requires the bridge to open on signal except, that from December 1 through March 1 the draw must open on signal at all times upon four hours notice.

In late spring of 2003, CONRAIL installed a Programmable Logic Controller and associated mechanical, electrical and signal apparatus on the CONRAIL Railroad Bridge over Mantua Creek in Paulsboro, New Jersey. The new equipment allows a radio-controlled system controlled from the cab of the locomotive to operate the opening and closing of the swing span to vessels. This rule proposes to change the operating schedule by allowing the bridge to remain in the open position to vessels for nine months (March through November) and requiring four hours notice for vessel openings during December through February.

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

Discussion of Rule

The Coast Guard proposes to revise 33 CFR 117.729(a), which governs the CONRAIL Railroad bridge at mile 1.4 across Mantua Creek in Paulsboro, New Jersey. Currently, the draw opens on signal except that from December 1 through March 1 the draw shall open on signal at all times upon four hours notice.

Paragraph (a) would contain the proposed rule for the CONRAIL Railroad Bridge, mile 1.4, at Paulsboro. The rule would allow the draw of the CONRAIL Railroad Bridge, mile 1.4, at Paulsboro, to be operated by a train crewmember. From March through November, the bridge would be left in the open position to vessels 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 to vessels if at least four hours notice is given by calling (856) 231-2393.

From March through November and before the CONRAIL Railroad Bridge closes for any reason, an on-site train crewmember will assist in observing the waterway for approaching craft, which will be allowed to pass. The on-site train crewmember will then operate the bridge by control radiophone.

The CONRAIL Railroad Bridge would only be closed if the on-site 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 that no conflict with maritime traffic exists. In the event of failure or obstruction, the train crewmember will stop and return the bridge to the full open position to vessels.

During span movement, the channel traffic lights would change from flashing green to flashing red, the horn will sound twice, and an audio voice warning device will announce bridge movement, then two repeat blasts of the horn until the bridge is seated and locked down. When the bridge is seated and locked down to vessels, the channel traffic lights will extinguish.

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 to vessels. During the open span movement, the channel traffic lights