

required. This deviation to the regulation is necessary to allow the contractor to repair the superstructure and the bascule.

**DATES:** This deviation is effective from June 18, 2001 through June 27, 2001.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, Bridge Section at (757) 398-6222.

**SUPPLEMENTARY INFORMATION:** IEW Construction Group, a contractor for the New Jersey Department of Transportation requested the Coast Guard to approve a temporary deviation from the normal operation of the bridge in order to accommodate repairs. The repairs involve refurbishing the superstructure with extensive repairs to the bascule. Presently, the draw is required to operate under the operating regulations in 33 CFR 117.731a. To facilitate the repair of the bascule span, it will remain in the closed position during the period this deviation is in effect.

In accordance with 33 CFR 117.35, the District Commander granted a temporary deviation from the governing regulations in a letter dated May 17, 2001. A Local Notice to Mariners and a Broadcast Notice were sent out, so marine vessels could arrange their transits to minimize any impacts caused by the temporary deviation.

The temporary deviation allows the Green Bank Drawbridge across the Mullica River, mile 18.0, in Green Bank, New Jersey to remain closed for 10 consecutive days beginning June 18, 2001 through June 27, 2001.

Dated: June 11, 2001.

**John E. Shkor,**  
Vice Admiral, U.S. Coast Guard, Commander,  
Fifth Coast Guard District.

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-01-007]

RIN 2115-AE47

#### Drawbridge Operating Regulation; Ouachita River, LA

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule.

**SUMMARY:** The Coast Guard is removing the temporary operating regulation for the Kansas City Southern Railroad swing span bridge across the Ouachita

River, mile 167.1, at Monroe, Ouachita Parish, Louisiana. This temporary rule allowed for the passage of vessels from June 4, 2001, through November 15, 2001, during the morning hours with proper advance notice. This rule is not needed as the bridge owner has decided to indefinitely postpone the repair activities scheduled during this time period.

**DATES:** This rule is effective June 22, 2001.

**ADDRESSES:** Documents referred to in this rule are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, Room 1313, 501 Magazine Street, New Orleans, Louisiana 70130-3396 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (obc), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

#### **SUPPLEMENTARY INFORMATION:**

##### **Regulatory Information**

On May 8, 2001, we published a temporary final rule entitled Drawbridge Operating Regulation; Ouachita River, Louisiana, in the **Federal Register** (66 FR 23159). The temporary final rule changed the operating schedule of the Kansas City Southern Railroad swing span bridge, mile 167.1, at Monroe, to allow for repairs from June 4, 2001, through November 15, 2001.

##### **Background and Purpose**

On May 10, 2001, following publication of the temporary final rule, the bridge owner informed our office that following a lengthy meeting between the bridge owner, the prospective contractor, and the Engineers, it was determined that the river stage was too high to guarantee project completion before the Railroad's fall deadline to restore uninterrupted train service. The bridge owner requested that we cancel the published rule. The bridge owner plans to develop plans to temporarily modify the existing bridge to assure that the bridge functions adequately until such time as the pier replacement project can be implemented.

##### **Regulatory Evaluation**

This 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

This rule returns the bridge status to the requirement to open on signal for the passage of vessels.

##### **Small Entities**

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this 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.

The Coast Guard certifies under 5 U.S.C. 605(b) that this rule would not have a significant economic impact on a substantial number of small entities.

##### **Assistance for Small Entities**

Under the 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104-121, we want to assist small entities in understanding the rule so that they can better evaluate its effects on them and participate in the rulemaking process.

##### **Collection of Information**

This 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 rule under Executive Order 13132 and have determined that this rule would 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 rule would not impose an unfunded mandate.

### Taking of Private Property

This 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 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. No comments were received with regards to the taking of private property during NPRM comment period.

### Protection of Children

We have analyzed this 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.

### 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.

### Environment

We considered the environmental impact of this rule and concluded that, under figure 2-1, paragraph (32)(e), of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation. Bridge Administration Program actions that can be categorically excluded include promulgation of operating regulations or procedures for drawbridges. A "Categorical Exclusion Determination" is available in the docket where indicated under ADDRESSES.

### List of Subjects in 33 CFR Part 117

Bridges.

### Regulations

For the reasons set out 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.

#### § 117.483 [Amended]

2. In § 117.483, remove paragraph (b) and remove the paragraph designation for paragraph (a).

Dated: June 7, 2001.

**Roy J. Casto,**

*RADM, USCG, Commander, 8th CG District.*

[FR Doc. 01-15658 Filed 6-21-01; 8:45 am]

**BILLING CODE 4910-15-P**

### POSTAL SERVICE

#### 39 CFR Part 111

#### Presorted Priority Mail Experiment

**AGENCY:** Postal Service.

**ACTION:** Final rule.

**SUMMARY:** This final rule sets forth the Domestic Mail Manual (DMM) standards to be adopted by the Postal Service to conduct the presorted Priority Mail experiment pursuant to the Decision of the Governors of the United States Postal Service on the Opinion and Recommended Decision of the Postal Rate Commission (PRC) in Docket No. MC2001-1, experimental rate categories for presorted Priority Mail.

On March 7, 2001, the Postal Service filed a request before the Postal Rate Commission (PRC) requesting the establishment of experimental classifications and discounts for presorted Priority Mail. On May 25, 2001, the PRC issued a favorable Opinion and Recommended Decision. The Governors approved that action on June 4, 2001. The experiment will begin July 15, 2001, and is expected to be conducted for at least two years. Participation in the first year of the experiment will be limited to approximately 10 mailer locations. For application and information see Postal Bulletin 22051 (5-31-01).

**EFFECTIVE DATE:** July 15, 2001.

#### FOR FURTHER INFORMATION CONTACT:

Karen A. Magazino, (703) 292-3644, or Michael T. Tidwell, (202) 268-2998.

**SUPPLEMENTARY INFORMATION:** The Postal Service will review applications and select approximately 10 mailer locations to participate in the experiment. To receive the experimental discounts, selected mailers must meet certain containerization and mail preparation requirements in addition to various other criteria. It is desired that the Priority Mail shipped by the participants will represent a diverse

range of shapes and weights. The limitation on the number of participants in the experiment is consistent with the need to conduct an experiment that can be managed effectively and enables the Postal Service to work with each participant on a one-on-one basis, determining the best method of containerization and preparation. To receive the experimental discounts, mailers also must meet the experiment's data collection requirements. Specific containerization and preparation requirements could vary from mailer to mailer due to the mailer's geographical location and mail densities. Since this is an experiment, the Postal Service will be able to reasonably adjust the requirements during the experiment. The Postal Service and selected participants will work with postal transportation networks to determine the appropriate surface and air transportation destinations. Prior to implementation, the selected participant and the Postal Service will incorporate the terms and conditions of participation into a Service Agreement that will be authorized and signed by both parties.

Mailers may choose from the following three presort levels and corresponding per-piece discounts:

Presort Level	Per-Piece Discount
5-Digit .....	\$0.25
3-Digit .....	0.16
Area Distribution Center (ADC)	0.12

The discounts apply equally to letters, flats, and parcels (machineable and irregulars), including outside parcels when using surface transportation.

As selection criteria for the experiment, the Postal Service will seek mailers of diverse size, mailing locations, and mailpiece characteristics. Mailers must be prepared to work closely with business mail acceptance and logistics personnel to coordinate mail preparation and containerization and also must be prepared to meet the data collection requirements of the experiment. In addition, the Postal Service prefers mailers who will present presorted Priority Mail mailings on a regular and continuing basis.

A Presorted Priority Mail Experiment Management Team will select participants and administer the experiment. The team will include a representative from each of two functional groups within the Pricing and Product Design department: Mail Preparation and Standards, and Pricing. The other members of the team will be a representative from Operational