



9110-04-P

**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

**Docket No. USCG-2016-0257**

**Drawbridge Operation Regulation; Delaware River, Pennsauken Township, NJ**

**AGENCY:** Coast Guard, DHS.

**ACTION:** Notice of temporary deviation from regulations; request for comments.

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**SUMMARY:** The Coast Guard has issued a temporary deviation from the operating schedule that governs the DELAIR Memorial Railroad Bridge across the Delaware River, mile 104.6, at Pennsauken Township, NJ. This deviation will test the remote operation capability of the drawbridge to determine whether the bridge can be safely operated from a remote location. This deviation will allow the bridge to be remotely operated from the Conrail South Jersey dispatch center in Mount Laurel, NJ, instead of being operated by an on-site bridge tender.

**DATES:** This deviation is effective from 8 a.m. on October 21, 2017 through 7:59 a.m. on April 19, 2018.

Comments and related material must reach the Coast Guard on or before January 15, 2018.

**ADDRESSES:** You may submit comments identified by docket number USCG-2016-0257 using Federal eRulemaking Portal at <http://www.regulations.gov>. See

the “Public Participation and Request for Comments” portion of the SUPPLEMENTARY INFORMATION section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this test deviation, call or e-mail Mr. Hal R. Pitts, Fifth Coast Guard District (dpb); telephone (757) 398-6222, email Hal.R.Pitts@uscg.mil.

**SUPPLEMENTARY INFORMATION:**

I. Background, Purpose and Legal Basis

On April 12, 2017, we published a notice in the Federal Register entitled, “Drawbridge Operation Regulation; Delaware River, Pennsauken Township, NJ” announcing a temporary deviation from the regulations, with request for comments (see 82 FR 17562). The purpose of the deviation was to test the newly installed remote operational capabilities of the DELAIR Memorial Railroad Bridge across the Delaware River, mile 104.6, at Pennsauken Township, NJ, owned and operated by Conrail Shared Assets. The installation of the remote capabilities did not change the operational schedule of the bridge.<sup>1</sup>

During the initial test deviation performed from 8 a.m. on April 24, 2017, through 7:59 am on October 21, 2017, the bridge owner identified deficiencies in the remote operation center procedures, bridge to vessel communications, and equipment redundancy. Comments concerning these deficiencies were submitted to the docket and provided to the Coast Guard and bridge owner by

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<sup>1</sup> A full description of the remote operational system is outlined in the aforementioned publication, which can be found at <http://regulations.gov>. (see ADDRESSES for more information).

representatives from the Mariners' Advisory Committee for the Bay and River Delaware.

During the initial test deviation, we also published a notice of proposed rulemaking (NPRM) in the Federal Register, entitled, "Drawbridge Operation Regulation; Delaware River, Pennsauken Township, NJ" (see 82 FR 29800). In the NPRM, we stated that we are proposing to modify the operating regulation that governs the DELAIR Memorial Railroad Bridge across the Delaware River, mile 104.6, at Pennsauken Township, NJ. This proposed regulation would allow the bridge to be remotely operated from the Conrail South Jersey dispatch center in Mount Laurel, NJ, instead of being operated by an on-site bridge tender. In the NPRM, we also stated we would not change the operating schedule of the bridge. The comment period for the notice and NPRM closed on August 18, 2017, and we received a total of fourteen comments. The Coast Guard will adjudicate all comments at the completion of this test.

The bridge owner implemented policies and provided training to address the procedural and communications deficiencies and implemented backup systems to mitigate potential equipment and systems failures. These changes were not fully evaluated during the test deviation ending October 21, 2017. Therefore, the Coast Guard has decided to issue a second test deviation to complete the evaluation of the changes incorporated into the remote operation system.

This test deviation will commence at 8 a.m. on October 21, 2017, and conclude at 7:59 a.m. on April 19, 2018. During the test deviation, a bridge

tender will be stationed on-site at the bridge and will be able to immediately take local control of the bridge, as required.

The Coast Guard will also inform the users of the waterways through our Local and Broadcast Notices to Mariners of the change in operating schedule for the bridge so that vessel operators can arrange their transits to minimize any impact caused by the temporary deviation.

In accordance with 33 CFR 117.35(e), the drawbridge must return to normal local operation at the end of the effective period of this temporary deviation. This deviation from the operating regulations is authorized under 33 CFR 117.35.

## II. Public Participation and Request for Comments

We view public participation as essential to effective rulemaking, and will consider all comments and material received during the comment period. Your comment can help shape the outcome of this rulemaking. If you submit a comment, please include the docket number for this rulemaking, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

We encourage you to submit comments through the Federal eRulemaking Portal at <http://www.regulations.gov>. If your material cannot be submitted using <http://www.regulations.gov>, contact the person in the FOR FURTHER INFORMATION CONTACT section of this document for alternate instructions.

We accept anonymous comments. All comments received will be posted without change to <http://www.regulations.gov> and will include any personal

information you have provided. For more about privacy and the docket, visit <http://www.regulations.gov/privacynotice>.

Documents mentioned in this notice as being available in this docket and all public comments, will be in our online docket at <http://www.regulations.gov> and can be viewed by following that website's instructions. Additionally, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted or a final rule is published.

Dated: October 13, 2017

Hal R. Pitts  
Bridge Program Manager  
Fifth Coast Guard District

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