

DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 105**

[Docket Nos. TSA–2006–24191; USCG–2006–24196]

Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License

AGENCY: United States Coast Guard; DHS.

ACTION: Notice of compliance date, Captain of the Port Zones Hampton Roads, Morgan City, New Orleans, Upper Mississippi River, Miami, Key West, and St. Petersburg.

SUMMARY: This document informs owners and operators of facilities located within Captain of the Port Zones Hampton Roads, Morgan City, New Orleans, Upper Mississippi River, Miami, Key West, and St. Petersburg that they must implement access control procedures utilizing TWIC no later than January 13, 2009.

DATES: The compliance date for the TWIC regulations found in 33 CFR part 105 for Captain of the Port Zones Hampton Roads, Morgan City, New Orleans, Upper Mississippi River, Miami, Key West, and St. Petersburg is January 13, 2009.

ADDRESSES: Comments and material received from the public, as well as documents mentioned in this document as being available in the docket, are part of dockets TSA–2006–24191 and USCG–2006–24196, and are available for inspection or copying at the Docket Management Facility, U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: If you have questions on this document, call LCDR Jonathan Maiorine, telephone 1–877–687–2243. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–493–0402.

SUPPLEMENTARY INFORMATION:**I. Regulatory History**

On May 22, 2006, the Department of Homeland Security (DHS) through the United States Coast Guard (Coast Guard) and the Transportation Security

Administration (TSA) published a joint notice of proposed rulemaking entitled “Transportation Worker Identification Credential (TWIC) Implementation in the Maritime Sector; Hazardous Materials Endorsement for a Commercial Driver's License” in the **Federal Register** (71 FR 29396). This was followed by a 45-day comment period and four public meetings. The Coast Guard and TSA issued a joint final rule, under the same title, on January 25, 2007 (72 FR 3492) (hereinafter referred to as the original TWIC final rule). The preamble to that final rule contains a discussion of all the comments received on the NPRM, as well as a discussion of the provisions found in the original TWIC final rule, which became effective on March 26, 2007.

On May 7, 2008, the Coast Guard and TSA issued a final rule to realign the compliance date for implementation of the Transportation Worker Identification Credential. 73 FR 25562. The date by which mariners need to obtain a TWIC, and by which owners and operators of vessels and outer continental shelf facilities must implement access control procedures utilizing TWIC, is now April 15, 2009 instead of September 25, 2008. Owners and operators of facilities that must comply with 33 CFR part 105 will still be subject to earlier, rolling compliance dates, as set forth in 33 CFR 105.115(e). The Coast Guard will continue to announce rolling compliance dates, as provided in 33 CFR 105.115(e), at least 90 days in advance via notices published in the **Federal Register**. The final compliance date for all COTP Zones will not be later than April 15, 2009.

II. Notice of Facility Compliance Date—COTP Zones Hampton Roads, Morgan City, New Orleans, Upper Mississippi River, Miami, Key West, and St. Petersburg

Title 33 CFR 105.115(e) currently states that “[f]acility owners and operators must be operating in accordance with the TWIC provisions in this part by the date set by the Coast Guard in a Notice to be published in the **Federal Register**.” Through this Notice, the Coast Guard informs the owners and operators of facilities subject to 33 CFR 105.115(e) located within COTP Zones Hampton Roads, Morgan City, New Orleans, Upper Mississippi River, Miami, Key West, and St. Petersburg that the deadline for their compliance with Coast Guard and TSA TWIC requirements is January 13, 2009.

The TSA and Coast Guard have determined that this date provides

sufficient time for the estimated population required to obtain TWICs for these COTP Zones to enroll and for TSA to complete the necessary security threat assessments for those enrollment applications. We strongly encourage persons requiring unescorted access to facilities regulated by 33 CFR part 105 and located in one of these COTP Zones to enroll for their TWIC as soon as possible, if they haven't already. Additionally, we note that the TWIC Final Rule advises owners and operators of MTSA regulated facilities of their responsibility to notify employees of the TWIC requirements. Specifically, 33 CFR 105.200(b)(14) requires owners or operators of MTSA regulated facilities to “[i]nform facility personnel of their responsibility to apply for and maintain a TWIC, including the deadlines and methods for such applications.” Information on enrollment procedures, as well as a link to the pre-enrollment Web site (which will also enable an applicant to make an appointment for enrollment), may be found at <https://twicprogram.tsa.dhs.gov/TWICWebApp/>.

You may also visit our Web site at homeport.uscg.mil/twic for a framework showing expected future compliance dates by COTP Zone. This list is subject to change; changes in expected future compliance dates will appear on that Web site. The exact compliance date for COTP Zones will also be announced in the **Federal Register** at least 90 days in advance.

Dated: September 5, 2008.

Mark P. O'Malley,

Captain, U.S. Coast Guard, Chief, Ports and Facilities Activities.

[FR Doc. E8–21218 Filed 9–11–08; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY**Coast Guard****33 CFR Part 117**

[Docket No. USCG–2008–0848]

Drawbridge Operation Regulation; Harlem River, New York City, NY, Maintenance

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Triborough (125 Street) Bridge across the Chelsea River, mile 1.3, at New York City, New York.

Under this temporary deviation the bridge may remain in the closed position for four months to facilitate bridge maintenance. A three-week advance notice for openings will be available to allow vessel traffic that can not pass under the closed draw to transit.

DATES: This deviation is effective from September 5, 2008 through December 31, 2008.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2008–0848 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this deviation, call Joe Arca, Project Officer, First Coast Guard District, at (212) 668–7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone (202) 366–9826.

SUPPLEMENTARY INFORMATION: The Triborough (125 Street) Bridge, across the Harlem River at mile 1.3, has a vertical clearance in the closed position of 54 feet at mean high water and 59 feet at mean low water. The existing regulations are listed at 33 CFR 117.789(d).

The owner of the bridge, the Triborough Bridge & Tunnel Authority (TBTA), requested this temporary deviation to facilitate bridge maintenance.

Habitual users of the waterway normally can transit under the Triborough (125 Street) Bridge without requesting a bridge opening due to the size of the vessel traffic that frequently transits this waterway and the ample vertical clearance provided by the bridge in the closed position.

The Willis Avenue Bridge which is also located on the Harlem River upstream from the Triborough (125 Street) Bridge is presently undergoing replacement construction. As a result, construction crane barges occasionally will need to transit through the Triborough (125 Street) Bridge to facilitate the ongoing upstream

construction. The contractor working on the Triborough (125 Street) Bridge has agreed to open the bridge for the passage of the crane barges, provided at least a three-week advance notice is given by calling the bridge owner at (212) 870–6470 or (212) 870–6428.

Under this temporary deviation the Triborough (125 Street) Bridge may remain in the closed position at all times; except that, the bridge shall open on signal after at least a three-week notice is given by calling (212) 870–6470 or (212) 870–6428.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.

Dated: September 1, 2008.

Gary Kassof,

Bridge Program Manager, First Coast Guard District.

[FR Doc. E8–21358 Filed 9–11–08; 8:45 am]

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DEPARTMENT OF HOMELAND SECURITY

Coast Guard

33 CFR Part 117

[USCG–2008–0908]

Drawbridge Operation Regulation; Long Island, New York Inland Waterway From East Rockaway Inlet to Shinnecock Canal, Hempstead, NY, Maintenance

AGENCY: Coast Guard, DHS.

ACTION: Notice of temporary deviation from regulations.

SUMMARY: The Commander, First Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Wantagh State Parkway Bridge across Sloop Channel at mile 15.4, at Jones Beach, New York. Under this temporary deviation the bridge may operate on a limited operating schedule for three months to facilitate the completion of bridge construction.

DATES: This deviation is effective from September 5, 2008 through November 30, 2008.

ADDRESSES: Documents indicated in this preamble as being available in the docket are part of docket USCG–2008–0908 and are available online at <http://www.regulations.gov>. They are also available for inspection or copying at two locations: The Docket Management Facility (M–30), U.S. Department of

Transportation, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue, SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays, and the First Coast Guard District, Bridge Branch Office, 408 Atlantic Avenue, Boston, Massachusetts 02110, between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: If you have questions on this deviation, call Judy Leung-Yee, Project Officer, First Coast Guard District, at (212) 668–7165. If you have questions on viewing the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202–366–9826.

SUPPLEMENTARY INFORMATION: The Wantagh State Parkway Bridge has a vertical clearance in the closed position of 16 feet at mean high water. The existing drawbridge operation regulations are listed at 33 CFR 117.5.

The New York State Department of Transportation, requested a temporary deviation to facilitate the completion of bridge construction.

The waterway has seasonal recreational vessels and fishing vessels of various sizes.

We contacted the New York Marine Trades Association and Station Jones Beach. No objection to the proposed temporary deviation schedule was received.

Under this temporary deviation, in effect from September 5, 2008 through November 30, 2008, the Wantagh State Parkway Bridge at mile 15.4, across Sloop Channel, shall operate as follows:

From Monday through Friday between 5 p.m. and 6:30 a.m. and at 12 noon, the bridge shall open on signal after at least a 30-minute advance notice is given.

On Saturdays the Bridge shall open on signal after at least a 30-minute advance notice is given between 12:01 a.m. and 6:30 a.m., 10:30 a.m. and 1:30 p.m.

From 4:30 p.m. on Saturdays through 6:30 a.m. on Mondays the bridge shall open on signal every hour on the half-hour after at least a 30-minute advance notice is given.

All other times the bridge need not open for the passage of vessel traffic.

Advance notice may be given by calling (631) 383–6598.

In accordance with 33 CFR 117.35(e), the bridge must return to its regular operating schedule immediately at the end of the designated time period. This deviation from the operating regulations is authorized under 33 CFR 117.35.