

§ 116.55

c. Betterments _____ \$ _____
 Expected savings in repair or maintenance costs:
 a. Repair _____ \$ _____
 b. Maintenance _____ \$ _____
 Costs attributable to requirements of railroad and/or highway traffic _____ \$ _____
 Expenditure for increased carrying capacity _____ \$ _____
 Expired service life of old bridge _____ \$ _____
 Subtotal _____ \$ _____
 Share to be borne by the bridge owner _____ \$ _____
 Contingencies _____ \$ _____
 Total _____ \$ _____
 Share to be borne by the United States _____ \$ _____
 Contingencies _____ \$ _____
 Total _____ \$ _____

(d) The Order of Apportionment of Costs will include the guaranty of costs.

§ 116.55 Appeals.

(a) Except for the decision to issue an Order to Alter, if a complainant disagrees with a recommendation regarding obstruction or eligibility made by a District Commander, or the Chief, Office of Bridge Administration, the complainant may appeal that decision to the Assistant Commandant for Operations.

(b) The appeal must be submitted in writing to the Assistant Commandant for Operations, U.S. Coast Guard, 2100 Second Street, SW., Washington, DC 20593-0001, within 60 days after the District Commander's or the Chief's, Office of Bridge Administration decision. The Assistant Commandant for Operations will make a decision on the appeal within 90 days after receipt of the appeal. The Assistant Commandant for Operations' decision of this appeal shall constitute final agency action.

(c) Any Order of Apportionment made or issued under section 6 of the Truman-Hobbs Act, 33 U.S.C. 516, may be reviewed by the Court of Appeals for any judicial circuit in which the bridge in question is wholly or partly located, if a petition for review is filed within 90 days after the date of issuance of the order. The review is described in section 10 of the Truman-Hobbs Act, 33 U.S.C. 520. The review proceedings do not operate as a stay of any order issued under the Truman-Hobbs Act,

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other than an order of apportionment, nor relieve any bridge owner of any liability or penalty under other provisions of that act.

[CGD 91-063, 60 FR 20902, Apr. 28, 1995, as amended by CGD 96-026, 61 FR 33663, June 28, 1996; CGD 97-023, 62 FR 33363, June 19, 1997]

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- 117.609 Mystic River.
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- 117.613 North River.
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- 117.618 Saugus River.
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- 117.625 Black River.
- 117.627 Cheboygan River.
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MISSOURI

- 117.687 Missouri River.
- 117.689 Osage River.

NEBRASKA

- 117.691 Missouri River.

NEW HAMPSHIRE

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NEW JERSEY

- 117.701 Alloway Creek.
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- 117.711 Cohansey River.
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- 117.721 Grassy Sound Channel.
- 117.723 Hackensack River.
- 117.725 Manantico Creek.
- 117.727 Manasquan River.
- 117.729 Mantua Creek.
- 117.731 Maurice River.
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- 117.735 Newark Bay.
- 117.736 Oceanport Creek.
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- 117.771 Bronx River.
- 117.773 Buffalo River.
- 117.775 Coney Island Creek.
- 117.779 Eastchester Bay (Arm of).
- 117.781 East River.
- 117.783 Flushing Creek.
- 117.785 Genessee River.
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 117.809 Tonawanda Creek.
 117.811 Tonawanda Harbor.
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 117.815 Westchester Creek.

NORTH CAROLINA

117.821 Atlantic Intracoastal Waterway, Al-
 bamarle Sound to Sunset Beach.
 117.822 Beaufort Channel, NC.
 117.823 Cape Fear River.
 117.824 Neuse River.
 117.825 Newport River.
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 117.831 Pamlico and Tar Rivers.
 117.833 Pasquotank River.
 117.835 Perquimans River.
 117.837 Roanoke River.
 117.841 Smith Creek.
 117.843 Trent River.

OHIO

117.847 Ashtabula River.
 117.849 Muskingum River (Zanesville
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 117.850 Black River.
 117.851 Portage River.
 117.853 Sandusky Bay.
 117.855 Maumee River.

OREGON

117.861 Blind Slough.
 117.865 Clatskanie River.
 117.867 [Reserved]
 117.869 Columbia River.
 117.871 Coos Bay.
 117.873 Coos River.
 117.875 Coquille River.
 117.879 Isthmus Slough.
 117.881 John Day River.
 117.885 [Reserved]
 117.887 Oregon Slough (North Portland Har-
 bor).
 117.889 Siuslaw River.
 117.891 [Reserved]
 117.892 South Slough.
 117.893 Umpqua River.
 117.895 Wallooskee River.
 117.897 Willamette River.
 117.899 Youngs Bay and Lewis and Clark
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PENNSYLVANIA

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 117.905 Schuylkill River.

RHODE ISLAND [RESERVED]

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117.915 Ashley River.
 117.917 Battery Creek.
 117.921 Broad River.
 117.923 Congaree River.
 117.925 Cooper River.
 117.927 Coosaw River (Whale Branch).
 117.929 Durham Creek.
 117.933 Pee Dee River.
 117.935 Rantowles Creek.
 117.936 Savannah River.
 117.938 Waccamaw River.
 117.939 Wando River.

SOUTH DAKOTA

117.941 Missouri River.

TENNESSEE

117.943 Cumberland River.
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 117.947 Obion River.
 117.949 Tennessee River.

TEXAS

117.951 Arroyo Colorado River.
 117.953 Brazos River (Diversions Channel).
 117.955 Buffalo Bayou.
 117.957 Cedar Bayou.
 117.959 Chocolate Bayou.
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 117.965 Cow Bayou.
 117.967 Greens Bayou.
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 117.971 Neches River.
 117.975 Old Brazos River.
 117.977 Pelican Island Causeway, Galveston
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 117.979 Sabine Lake.
 117.981 Sabine River.
 117.983 Sabine River (Old Channel) behind
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VERMONT

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VIRGINIA

117.995 Appomattox River.
 117.997 Atlantic Intracoastal Waterway,
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 117.999 Blackwater River.
 117.1001 Cat Point Creek.
 117.1003 Chickahominy River.
 117.1005 Chincoteague Channel.
 117.1007 Elizabeth River—Eastern Branch.
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 117.1013 Kinsale Creek.
 117.1015 Mattaponi River.
 117.1021 North Landing River.
 117.1023 Pamunkey River.
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WASHINGTON

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- 117.1035 Columbia River.
- 117.1037 Cowlitz River.
- 117.1039 [Reserved]
- 117.1041 Duwamish Waterway.
- 117.1045 Hood Canal.
- 117.1047 Hoquiam River.
- 117.1049 Lake Washington.
- 117.1051 Lake Washington Ship Canal.
- 117.1053 Lewis River.
- 117.1055 Skagit River.
- 117.1057 Skamokawa Creek.
- 117.1058 Snake River.
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WISCONSIN

- 117.1081 Black River.
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APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

AUTHORITY: 33 U.S.C. 499; 33 CFR 1.05-1(g); Department of Homeland Security Delegation No. 0170.1; section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

SOURCE: CGD 82-025, 49 FR 17452, Apr. 24, 1984, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to part 117 appear at 63 FR 35529, June 30, 1998.

Subpart A—General Requirements

§ 117.1 Purpose.

This subpart prescribes general requirements relating to the use and operation of drawbridges across the navigable waters of the United States.

NOTE: The primary jurisdiction to regulate drawbridges across the navigable waters of the United States is vested in the Federal Government. Laws, ordinances, regulations, and rules which purport to regulate these

bridges and which are not promulgated by the Federal Government have no force and effect.

§ 117.3 Applicability.

The provisions of this subpart not in conflict with the provisions of Subpart B apply to each drawbridge.

NOTE: For all of the requirements applicable to a drawbridge listed in Subpart B, one must review the requirements in Subpart A and §§117.51 through 117.99 of Subpart B, as well as the requirements in Subpart B applicable to the particular drawbridge in question.

§ 117.4 Definitions.

Certain terms used in this part are defined in this section.

Appurtenance. The term “appurtenance” means an attachment or accessory extending beyond the hull or superstructure that is not an integral part of the vessel and is not needed for a vessel’s piloting, propelling, controlling, or collision avoidance capabilities.

Lowerable. The term “lowerable” means the nonstructural vessel appurtenance can be mechanically or manually lowered and raised again. The term “lowerable” also applies to a nonstructural vessel appurtenance which can be modified to make the item flexible, hinged, collapsible, or telescopic such that it can be mechanically or manually lowered and raised again. Failure to make the modification is considered equivalent to refusing to lower a lowerable nonstructural appurtenance that is not essential to navigation. Examples of appurtenances which are considered to be lowerable include, but are not limited to, fishing outriggers, radio antennae, television antennae, false stacks, and masts purely for ornamental purposes. Examples of appurtenances which are not considered to be lowerable include, but are not limited to, radar antennae, flying bridges, sailboat masts, piledriver leads, spud frames on hydraulic dredges, drilling derricks’ substructures and buildings, cranes on drilling or construction vessels, or other items of permanent and fixed equipment.

Nonstructural. The term “nonstructural” means that the item is not