

ACTION: Advanced notice of proposed rulemaking.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing its intent to develop a rule that would increase the amount of reclamation of abandoned mine lands being accomplished under Title IV of the Surface Mining Control and Reclamation Act of 1977. OSM is seeking to involve the public in the development of the proposed rule by making an early draft available for review and written comment.

DATES: *Written comments:* OSM will accept written comments until 5:00 p.m. Eastern Time on November 24, 1997.

Public meetings: OSM plans to hold meetings with interested persons at appropriate locations to discuss this proposal. A schedule for these meetings will be published in the **Federal Register** on or about October 31, 1997.

ADDRESSES: *Written comments:* Hand-deliver or mail to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 117, 1951 Constitution Avenue, NW., Washington, D.C. 20240.

Electronic Mail: You may send comments through the Internet to OSM's Administrative Record at: osmrules@osmre.gov.

Telefax: Copies of the early draft may be obtained from FAX ON DEMAND by calling 202-219-1703 and following the instructions on the recorded announcement.

FOR FURTHER INFORMATION CONTACT: D.J. Growitz, Office of Surface Mining, U.S. Department of the Interior, 1951 Constitution Avenue, NW, Washington, D.C. 20240; telephone (202) 208-2634. E-mail: dgrowitz@osmre.gov.

SUPPLEMENTARY INFORMATION: OSM is seeking to increase reclamation under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The Abandoned Mine Land (AML) fund does not contain, and is never expected to contain, enough money to reclaim all the known AML problems and sites. Under current OSM regulations, AML-funded reclamation that includes the extraction of incidental coal must be at least 50 percent funded by the AML agency. OSM is considering a proposal that envisions reclamation projects that will require less than 50 percent government funding because reclamation contracts would be partially funded by the recovery and sale of the incidental coal. OSM will need to amend the current definition of government-financed construction to eliminate the 50 percent funding requirement for AML projects.

OSM believes that there would be adequate assurances to protect the environment in the AML program as described in 30 CFR Subchapter R. Those regulations, which set forth the criteria for an AML program, require adherence to all applicable State and Federal laws, require programs to follow proper financial policies and procedures, and require that AML contracts be issued under and monitored in accordance with state law.

OSM is considering proposing a rule which will establish special requirements when the AML agency contracts for reclamation projects with less than 50 percent government financing to ensure that the provision is not misused, that necessary protections are in place for citizens and landowners, and that acceptable environmental restoration occurs. The AML agency would consult with the Title V regulatory authority to assess whether proposed project sites are appropriate for AML reclamation activity based on the economical and technical feasibility of mining those sites under a Title V permit. The consultation would also include consideration of whether existing environmental problems at the AML site might be impacted by nearby mining activities. If the site is determined to be appropriate for Title IV reclamation activities, the AML agency would be required to: (1) determine site characteristics for Acid Mine Drainage and other existing environmental problems; (2) require the projects be carried out in accordance with time-tested AML regulations and procedures; (3) provide for site specific reclamation requirements, including performance bonds, when appropriate and in accordance with state procedures; (4) delineate any coal or coal waste material that would need to be extracted in order to accomplish the reclamation; and (5) require the AML contractor to provide consent documents that authorize coal extraction and document the disposition of the coal and associated revenues for use by the AML authority in determining financial conditions of the contract. If the AML authority determines that coal extraction is not incidental to the reclamation project, the project would be subject to all the regulatory requirements of Title V.

The proposed rule, when developed, will be published in the **Federal Register** for public comment in accordance with the requirements of the Administrative Procedure Act, and public hearings will be held on request.

Dated: October 4, 1997.

Mary Josie Blanchard,

Assistant Director, Program Support.

[FR Doc. 97-28321 Filed 10-23-97; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[CGD01-95-139]

Captain of the Port Boston; Meeting

AGENCY: Coast Guard, DOT.

ACTION: Notice of meeting.

SUMMARY: The Captain of the Port Boston (COTP Boston) will hold a meeting to discuss modifying the existing regulation for the waters of the Chelsea River, Boston, Inner Harbor, in order to encourage the use of double hull tankships. This meeting is open to the public. Proposed amendments may increase the size of tankships permitted to transit through his regulated waterway provided enhanced safety systems are in place. Proposed amendments should be based on a performance standard consistently applied to all tankships transiting through the Chelsea Street Bridge.

DATES: The meeting will be held on November 4, 1997 from 9 a.m. to 12 p.m. Written material and requests to make oral presentations should reach the COTP Boston on or before October 27, 1997.

ADDRESSES: Comments should be mailed to Captain of the Port Boston, Coast Guard Marine Safety Office, 455 Commercial Street, Boston, MA 02109-1045. Comments may also be hand-delivered to the above address between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays.

FOR FURTHER INFORMATION CONTACT: LT Michael H. Day, Coast Guard Marine Safety Office Boston, MA; telephone (617) 223-3000.

SUPPLEMENTARY INFORMATION: Notice of this meeting is given pursuant to the Federal Advisory Committee Act, 5 U.S.C. App. 2.

Request for Comments

The Coast Guard encourages interested persons to participate by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this specific Notice of Meeting (CGD01-97-080) and the specific issue to which each comment applies, and gives reasons for

each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" × 11" unbound format suitable for copying and electronic filing. If this is not practical, a second copy of any bound material is requested. Persons desiring acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard has also scheduled a public hearing on November 4, 1997, at 9 a.m., to receive oral presentations. The public meeting will be held in the Function Room on the first floor of Building 1, at the Coast Guard Integrated Support Company, 427 Commercial St., Boston, MA.

Background

The Chelsea Street Bridge is a bascule-type bridge owned by the City of Boston and originally constructed in 1939. It spans the Chelsea River providing a means for vehicles to travel between Chelsea, MA and East Boston, MA. Several petroleum-product transfer facilities are located on the Chelsea River, upstream and downstream of the Chelsea Street Bridge. Transit of tankships through the bridge is necessary to access the facilities upstream of the bridge. The narrow bridge-span opening creates a very difficult passage through the bridge for larger vessels. Adding to the difficulty are the close proximity of neighboring shore structures and, at times, vessels moored at facilities adjacent to the bridge.

In 1986, the bridge and its fendering system were in a dilapidated condition, which further complicated vessel transits. Additionally, the Northeast Petroleum Terminal (locally referred to as the Jenny Dock) and the Mobil Oil Terminal were located downstream of the bridge on the north and south bank of the river respectively. If one or more vessels were moored at either of those facilities, the already short and narrow approach to the bridge was further restricted, thus reducing the maneuverability space of vessels during the approach and transit through the bridge. Meetings between the Coast Guard, marine operators, and pilots indicated that restrictions on length and width of particular vessel traffic were necessary to achieve an acceptable level of safety for navigating this difficult area. Additionally, with the double hull requirements set forth in the Oil Pollution Act of 1990 (OPA-90), several tanker designs keeping the present cargo capacities while meeting the requirements of OPA-90 will create a tanker with a beam up to 92 feet.

Agenda of Meeting

Due to the above mentioned concerns, the Coast Guard seeks comments on the following specific items.

Existing Safety Zone Regulations

On June 27, 1986, (51 FR 23415) the Coast Guard promulgated the safety zone regulations published in 33 CFR 165.120. These regulations extend over the waters of the Chelsea River for 100 yards upstream and downstream of the bridge, restrict water traffic transiting the Chelsea Street Bridge and implement vessel operational constraints. The Coast Guard justified these restrictions and constraints by citing more than 75 bridge collisions and other incidents involving vessels transiting the Chelsea Street Bridge during the period from 1978 through 1985.

Vessel Size Restrictions

Currently, only vessels meeting certain draft and physical dimensions (overall length and overall width) are allowed to enter the safety zone. No vessel greater than 661 feet in length, or greater than 90.5 feet in beam, may transit the safety zone. No vessel greater than 630.5 feet in length, or 85.5 feet or greater in beam, may transit the safety zone between sunset and sunrise. No tankship greater than 550.5 feet in length may transit the safety zone with a draft less than 18 feet forward and 24 feet aft. Current regulations authorize the restrictions to be relaxed with specific approval from the Captain of the Port.

Extending the Width of Tankers Permitted Through the Bridge

While focusing on the physical dimensions of tank vessels transiting the Chelsea River, the current regulation does not address added or redundant systems aboard these vessels which may be used to enhance port and vessel safety and minimize potential pollution incidents. A slightly wider or longer double-hulled tankship with enhanced operational system transiting the Chelsea River may, in fact, have a margin of safety greater than the currently used smaller, less equipped tankships due to the former's improved maneuvering, handling, and safety characteristics.

Maneuvering

These enhanced systems may include: redundant power systems, redundant propulsion, controllable pitch propellers, improved steering capabilities, bow thrusters and other safety systems.

Procedural

All sessions are open to the public. At the Chairperson's discretion, members of the public may make oral presentations during the meeting. Persons wishing to make oral presentations at the meeting should notify Lt. Michael H. Day no later than October 27, 1997. Written material for distribution at the meeting should reach the COTP Boston no later than October 27, 1997. If a person submitting material would like copies distributed in advance of the meeting, that person should submit 25 copies to the COTP Boston no later than October 27, 1997.

Information on Services for the Handicapped

For information on facilities or services for the handicapped or to request special assistance at the meeting, contact COTP Boston as soon as possible.

Dated: September 30, 1997.

J.L. Grenier,

Captain, U.S. Coast Guard, Captain of the Port, Boston, Massachusetts.

[FR Doc. 97-28287 Filed 10-23-97; 8:45 am]

BILLING CODE 4910-14-M

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 334

Naval Restricted Area, Naval Station Annapolis, Maryland

AGENCY: Army Corps of Engineers, DoD.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Corps is proposing to establish a new restricted area in the waters of the small boat basin off the Severn River, in Annapolis, Maryland to prohibit public entry into the area. The restricted area is needed for the security of U.S. navy facilities and watercraft and navigational safety for U.S. Naval Academy training vessels in that area. The water area in the small boat basin has always been closed to the public, however, as a result of the closure of the adjacent Naval Surface Warfare Center and the planned future public ownership of that facility, the water may become accessible by the public.

DATES: Comments must be submitted on or before November 24, 1997.

ADDRESSES: HQUSACE, CECW-OR, Washington, DC 20314-1000.

FOR FURTHER INFORMATION CONTACT: Mr. Ralph Eppard, Headquarters Regulatory Branch, at (202) 761-1783, or Mr. Steve