

Filing of a written statement at the time of the hearing is requested as it will greatly assist the transcriber. Submission of written statements in advance of the hearing will allow OSM officials to prepare adequate responses and appropriate questions.

The public hearing will continue on the specified date until all persons scheduled to speak have been heard. Persons in the audience who have not been scheduled to speak, and who wish to do so, will be heard following those who have been scheduled. The hearing will end after all persons scheduled to speak and persons present in the audience who wish to speak have been heard.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. Persons wishing to meet with OSM representatives to discuss the proposed amendment may request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings will be open to the public and, if possible, notices of meetings will be posted at the locations listed under **ADDRESSES**. A written summary of each meeting will be made a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

This rule is exempted from review by the Office of Management and Budget (OMB) under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior has conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and has determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on proposed State regulatory programs and program amendments submitted by the States must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of

30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

No environmental impact statement is required for this rule since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on proposed State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon counterpart Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Accordingly, this rule will ensure that existing requirements previously promulgated by OSM will be implemented by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the counterpart Federal regulations.

Unfunded Mandates

OSM has determined and certifies pursuant to the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 943

Intergovernmental relations, Surface mining, Underground mining.

Dated: February 6, 1998.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 98-3761 Filed 2-12-98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD01-97-020]

RIN 2115-AE47

Drawbridge Operation Regulations: Passaic River, NJ

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to change the operating rules for five bridges over the Passaic River in New Jersey: the Jackson Street Bridge, at mile 4.6, the Bridge Street Bridge, at mile 5.6, the Clay Street Bridge, at mile 6.0, the New Jersey Transit Rail Operations (NJTRO) Bridge, at mile 11.7, and the Route 3 Bridge, at mile 11.8.

Essex and Hudson counties in New Jersey who jointly own the Jackson Street, Bridge Street and Clay Street bridges have requested that their bridges open on signal after a four hour notice is given. The New Jersey Transit Rail Operations (NJTRO) and New Jersey Department of Transportation (NJDOT) who own the NJTRO Bridge and the Route 3 Bridge, both over the Passaic River, have requested that their bridges open on signal after a six month notice is given.

This proposal will relieve the bridge owners of the burden of constantly having personnel available to open the bridges and should continue to provide for the needs of navigation.

DATES: Comments must reach the Coast Guard on or before April 14, 1998.

ADDRESSES: You may mail comments to Commander (obr), First Coast Guard District, 408 Atlantic Avenue, Boston, Ma. 02110-3350, or deliver them to the same address between 7 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (617) 223-8364. The District Commander maintains the public docket for this rulemaking. Comments and documents as indicated in this preamble will become part of this docket and will be available for inspection or copying at the above address during business hours.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Officer, First Coast Guard District, (617) 223-8364.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting

comments should include their names and addresses, identify this rulemaking (CGD1-97-020) and specific section of this proposal to which their comments apply, and give reasons for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in response to comments received. The Coast Guard does not plan to hold a public hearing; however, persons may request a public hearing by writing to the Coast Guard at the address listed under **ADDRESSES** in this document. The request should include the reasons why a hearing would be beneficial. If it is determined that the opportunity for oral presentations will aid this matter, the Coast Guard will hold a public hearing at a time and place announced by a subsequent notice published in the **Federal Register**.

Background

The clearances at mean high water (MHW) and mean low water (MLW) for the five bridges affected by this proposed rule change are as follows: Jackson Street 15' MHW & 20' MLW, Bridge Street 7' MHW & 12' MLW, Clay Street 8' MHW & 13' MLW, NJTRO 26' MHW & 31' MLW and Route 3 35' MHW & 40' MLW.

The Jackson Street, Bridge Street and Clay Street bridges presently open on signal, except that, notice must be given before 2:30 a.m. for openings between 4:30 p.m. and 7 p.m. This proposed change to the operating regulations would require the bridges to open on signal after four hours notice is given.

The NJTRO Bridge presently opens on signal from 8 a.m. to 4 p.m., if at least six hours notice is given. From 4 p.m. to 8 a.m., the draw need not be opened. The Route 3 Bridge presently opens on signal, if at least six hours notice is given. New Jersey Transit Rail Operations records indicate there has not been a request to open the NJTRO Bridge since December, 1991. The New Jersey Department of Transportation records indicate there have been only ten bridge openings during the last ten years for the Route 3 Bridge. All ten openings were test openings.

Discussion of Proposal

This proposal to require a six month notice for bridge openings for the NJTRO and Route 3 bridges is warranted

based upon their opening records. This proposed change to the operating regulations will require the NJTRO and Route 3 bridges to open on signal if six months notice is given.

The Coast Guard received requests to change the operating regulations on the Jackson Street, Bridge Street and Clay Street bridges from Essex and Hudson counties to require the bridges to open on signal if four hours notice is given. Additionally, the Coast Guard received requests to change the operating regulations for the NJTRO and Route 3 bridges from New Jersey Transit Rail Operations and New Jersey Department of Transportation to require the bridges to open on signal if a six month notice is given. These changes have been requested for these five bridges because there have been so few requests to open these bridges that the requested changes in the operating regulations is expected to relieve the bridge owners of the burden of crewing the bridges at times and still meet the present needs of navigation.

Regulatory Evaluation

This proposed 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. It has not been reviewed by the Office of Management and Budget 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). The Coast Guard expects the economic impact of this proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. This conclusion is based on the fact that bridges must operate in accordance with the needs of navigation while providing for the reasonable needs of land transportation. This rule adopts the operating hours which the Coast Guard believes to be appropriate based on the results of past experience with the roving drawtender crew operation and public comments. The Coast Guard believes this rule achieves the requirement of balancing the navigational rights of recreational boaters and the needs of land based transportation.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considers whether this proposed rule, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-

for profit organizations that are independently owned and operated and are not dominant in their fields, and governmental jurisdictions with populations less than 50,000. Therefore, for the reasons discussed in the Regulatory Evaluation section above, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposed rule, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This proposed rule does not provide for a collection of information under the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*).

Federalism

The Coast Guard has analyzed this proposed rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposed rule and concluded that, under section 2.B.2.e.(34) of Commandant Instruction M16475.1B, this rule is categorically excluded from further environmental documentation because promulgation of changes to drawbridge regulations have been found not to have a significant effect on the environment. A "Categorical Exclusion Determination" is available in the docket for inspection or copying 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.

2. In section 117.739 revise paragraphs (d), (f), (i), (m), and (n) to read as follows:

§ 117.739 Passaic River.

* * * * *

(d) The draw of the Jackson Street Bridge, mile 4.6, shall open on signal if at least four hours notice is given by calling the number posted at the bridge.

* * * * *

(f) The draw of the Bridge Street Bridge, mile 5.6, shall open on signal if at least four hours notice is given by calling the number posted at the bridge.

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(i) The draw of the Clay Street Bridge, mile 6.0, shall open on signal if at least four hours notice is given by calling the number posted at the bridge.

* * * * *

(m) The draw of the NJTRO Bridge, mile 11.7, shall open on signal if at least six months notice is given by calling the number posted at the bridge.

(n) The draw of the Route 3 Bridge, mile 11.8, shall open on signal if at least six months notice is given by calling the number posted at the bridge.

* * * * *

Dated: January 9, 1998.

R.M. Larrabee,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 98-3627 Filed 2-12-98; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 441

[FRL-5967-1]

Extension of Comment Period for Effluent Limitations Guidelines and Pretreatment Standards for the Industrial Laundries Point Source Category; Proposed Rule

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; notice of extension of comment period.

SUMMARY: EPA is extending the comment period for the proposed effluent limitations guidelines and pretreatment standards for the industrial laundries point source category. The proposed rule was published in the *Federal Register* on December 17, 1997. The comment period for the proposed rule is extended by 30 days, ending on March 19, 1998. In addition, interested parties providing performance data,

which may be used in calculating limits, will have until April 20, 1998 to submit data. This extension is being granted while taking into consideration the court-ordered promulgation date.

DATES: Comments regarding all issues related to the proposed rule will be accepted until March 19, 1998. Performance data, as specified herein, will be accepted until April 20, 1998.

ADDRESSES: Send written comments to W-97-14, Ms. Marta E. Jordan, Engineering and Analysis Division (4303), U. S. EPA, 401 M. Street S.W., Washington, DC 20460. Please submit any references cited in your comments. EPA requests an original and three copies of your written comments and enclosures (including references).

FOR FURTHER INFORMATION CONTACT: Marta E. Jordan, Engineering and Analysis Division (4303), U.S. Environmental Protection Agency, 401 M. St. SW, Washington, DC 20460 or call (202) 260-0817.

SUPPLEMENTARY INFORMATION: On December 17, 1997, EPA published proposed effluent limitations guidelines and pretreatment standards for the industrial laundries industry in the *Federal Register* for review and comment (62 FR 66182). The comment period was scheduled to end February 17, 1998.

EPA held two public hearings during this comment period to provide opportunities for the regulated community and other interested parties to comment on issues pertaining to the proposed rule.

EPA has received more than 100 requests to extend the comment period to allow more time to address the issues on which EPA solicited public comment. The comment period for all issues in the proposed rule is extended by 30 days, to March 19, 1998. In addition, EPA will accept performance data, as specified below, until April 20, 1998. Data that EPA will consider most useful is performance data that conforms to the EPA protocols delineated in the quality assurance project plan (QAPP) and sampling and analysis plans. The QAPP and sampling and analysis plans can be found in sections 5.5 and 6.5 of the rulemaking record, respectively. EPA is scheduled to promulgate pretreatment standards for this industry by June 1999. EPA is using its best efforts to comply with this deadline and expects to meet the schedule even with this extension of the comment period.

Dated: February 9, 1998.

Robert Perciasepe,

Assistant Administrator for Water.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Health Care Financing Administration

42 CFR Chapter IV

[HCFA-1037-N]

Medicare Program; Meeting of the Negotiated Rulemaking Committee on the Provider-Sponsored Organization Solvency Standards

AGENCY: Health Care Financing Administration (HCFA), HHS.

ACTION: Notice of Meeting.

SUMMARY: In accordance with section 10(a) of the Federal Advisory Committee Act, this document announces the date and location for a planned seventh meeting of the Negotiated Rulemaking Committee on the provider-sponsored organization (PSO) solvency standards. The purpose of this committee meeting is to negotiate a consensus of an interim final rule establishing solvency standards for provider-sponsored organizations under Part C of the Medicare program, as statutorily-mandated by the Balanced Budget Act of 1997, Pub. L. 105-33.

DATE AND ADDRESSES: Unless canceled by the Committee, this meeting will be held from 9:00 a.m. to 5:00 p.m. on March 3 and 4, 1998, in Room 800, Hubert H. Humphrey Building, 200 Independence Ave., SW, Washington, DC, 20201-0001.

MEETING INFORMATION: This is a planned meeting that may be canceled. The decision whether to hold this meeting will be available via the Internet on the HCFA homepage: <http://www.hcfa.gov/medicare/mgdcare1.htm>. For further information and/or a voicemail message as to whether the Committee will meet should be directed to Maureen Miller, (410) 786-1097.

SUPPLEMENTARY INFORMATION: The Balanced Budget Act (BBA) of 1997 establishes a new Medicare+Choice program under part C of title XVIII of the Social Security Act (the Act). Under this program, an eligible individual may elect to receive Medicare benefits through enrollment in a Medicare+Choice plan that has a contract with us, which may include a health plan offered by a PSO. The BBA establishes a definition of PSOs that will