

Original amendment submission date	Date of final publication	Citation/description
March 26, 1998	August 13, 1998	Subpart I, Chapters 1 through 7; Subpart II, Chapters 9 through 15; Subpart III, Chapters 17 through 37; Subpart IV, Chapters 39 through 47; Subpart V, Chapters 49 through 71; Policy Statement No. PS-1.

4. Section 924.16 is amended by removing and reserving paragraphs (a) and (e) and by adding paragraphs (f), (g), (h), (i), (j), (k), (l), (m), and (n) to read as follows:

§ 924.16 Required program amendments.

* * * * *

(f) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 3301(b) of the State of Mississippi Surface Coal Mining Regulations to add provisions for temporary relief that pertain to permit decisions in accordance with the Federal regulations at 30 CFR 775.11(b)(2) and 43 CFR 4.1367.

(g) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 4501(c) of the State of Mississippi Surface Coal Mining Regulations to clarify that Federal, State, or local governmental agencies which have special expertise with respect to any environmental, social, or economic impact involved in the operation are allowed to file written objections to the proposed bond release and requests for public hearing.

(h) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 5333(b)(3)(A) of the State of Mississippi Surface Coal Mining Regulations to require the operator to also demonstrate that the operation has minimized disturbance to the hydrologic balance in the permit and adjacent areas.

(i) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 53103 of the State of Mississippi Surface Coal Mining Regulations, or otherwise amend its program, to include counterparts to

the Federal regulations at 30 CFR 816.116(b) and revegetation guidelines with detailed success standards and sampling techniques for measuring success.

(j) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 6501(c)(4) of the State of Mississippi Surface Coal Mining Regulations to amend the language "or until the order expires pursuant to § 53-9-69 or this section" by replacing the reference to "§ 53-9-69 or this section" with a reference to "section 6509."

(k) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 6511(a) of the State of Mississippi Surface Coal Mining Regulations to provide the permittee and other interested persons written notice of the time and place of an enforcement hearing provided by sections 53-9-77 and 49-17-41 at least five days prior to such hearing, or otherwise amend its program, to be no less stringent than section 525(a)(2) of SMCRA and no less effective than the requirements of 43 CFR 4.1167 of the Federal regulations.

(l) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 6511(c) of the State of Mississippi Surface Coal Mining Regulations to allow any party to a proceeding to apply for temporary relief, not just the person to whom a notice of violation or cessation order is directed.

(m) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 6511(l) of the State of Mississippi Surface Coal Mining Regulations to remove section

6511(l)(1) or to amend it by removing the reference to section 6511(c) and adding a reference to section 6511(a).

(n) By November 12, 1998, Mississippi must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption of proposed revisions to section 6511(n)(9) of the State of Mississippi Surface Coal Mining Regulations to remove the language "granting or denying temporary relief" and to clarify that it relates to an expedited review of an order of cessation.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-98-049]

Special Local Regulations; West Palm Beach, FL

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

SUMMARY: Temporary Special Local Regulations are being adopted for the Palm Beach County Offshore Grand Prix Festival & Air Show. The event will be held in two separate locations at separate times: (1) from 9 a.m. to 10 p.m. Eastern Daylight Time (EDT) on August 13, 14, 15 and 16, 1998, for a watercraft exhibition area, west of the ICW channel between the Royal Palm bascule bridge and Lake Worth LT 12 (LLNR 46875) and; (2) from 8 a.m. to 4 p.m. EDT on August 15 and 16, 1998, for the racecourse and airshow area east of Singer Island in the Atlantic Ocean, north of the Lake Worth Inlet. The regulations are needed to provide for the safety of life on navigable waters during the event.

DATES: These regulations become effective from 9 a.m. to 10 p.m. EDT on August 13, 14, 15 and 16, 1998, with respect to the watercraft exhibition area and from 8 a.m. to 4 p.m. on August 15

and 16, 1998, for the racecourse and airshow area.

FOR FURTHER INFORMATION CONTACT: LT J.A. Delgado Coast Guard Group Miami, Florida at (305) 535-4409.

SUPPLEMENTARY INFORMATION:

Background and Purpose

The Palm Beach Offshore Club is sponsoring a high speed power boat race and air show with approximately 60 race boats ranging in length from 12 to 50 feet, and several aircraft participating in the event. There will be approximately five hundred (500) spectator craft. The aircraft show and high speed race will take place offshore Singer Island in the Atlantic Ocean. The race boats and aircraft will be participating at high speeds with numerous spectator crafts in the area, creating an extra or unusual hazard in the navigable waterways. Additionally, inflatable boats, jet skis, and demonstration boats will be performing in a regulated area west of the ICW channel in West Palm Beach. These regulated areas created below prohibit entry to nonparticipating vessels during the events.

In accordance with 5 U.S.C. 553, a notice of proposed rulemaking has not been published for these regulations. Following normal rulemaking procedures would have been impracticable, as there was not sufficient time remaining after the receipt of the permit request to publish proposed rules in advance of the event or to provide for a delayed effective date.

Regulatory Evaluation

This regulation 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. The Office of Management and Budget has exempted it from review 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. Entry into the regulated areas is prohibited for only approximately 13 hours each day of the event and the regulated areas do not block any channels.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard

must consider whether this rule 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 field, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies that this rule will not have a significant economic impact on a substantial number of small entities, as the regulations will only be in effect a total of four days in areas of limited commercial traffic.

Federalism

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined under Figure 2-1, paragraph 35(b) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination document has been prepared and is available for inspection or copying in the docket.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Temporary Regulations

In consideration of the foregoing, the Coast Guard amends Part 100 of title 33, Code of Federal Regulations, as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233, 49 CFR 1.46 and 33 CFR 100.35.

2. Temporary § 100.35T-07-049 is added to read as follows:

§ 100.35T-07-049 Palm Beach Grand Prix and Air Show, West Palm Beach, FL

(a) *Regulated Areas.* The following are regulated areas (All coordinates referenced use Datum NAD:83):

(1) *Watercraft Exhibition Area:* All waters west of the channel of the Introcoastal Waterway between the Royal Palm bascule bridge north to Lake Worth LT 12 (LLNR 46875) in approximate position 26-42.54N, 080-02.5W.

(2) *Racecourse/Airshow Area:* All waters of the Atlantic Ocean west of a line drawn from 26-46.82N, 080-01.26W to 26-49.37N, 080-01.26W.

(b) *Special local regulations.*

(1) Entry into the regulated areas by other than event participants is prohibited unless otherwise authorized by the Patrol Commander. At the completion of scheduled races and exhibitions, and departure of participants from the regulated areas, traffic may resume normal operations. At the discretion of the Patrol Commander, between scheduled racing events, traffic may be permitted to resume normal operations.

(2) A succession of not fewer than 5 short whistle or horn blasts from a patrol vessel will be the signal for any and all vessels to take immediate steps to avoid collision. The display of an orange distress smoke signal from a patrol vessel will be the signal for any and all vessels to stop immediately.

(3) Spectators are required to maintain a safe distance from the racecourse at all times.

(c) *Dates.* This section is effective from 9 a.m. to 10 p.m. EDT on August 13, 14, 15 and 16, 1998, for the regulated area described in paragraph (a)(1) of this section, and from 8 a.m. to 4 p.m. EDT on August 15 and 16, 1998, for the regulated area described in paragraph (a)(2) of this section.

Dated: July 30, 1998.

R.C. Olsen, Jr.,

Captain, U.S. Coast Guard, Acting Commander, Seventh Coast Guard District.

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05-98-015]

RIN 2115-AE47

Drawbridge Operation Regulations; Grassy Sound Channel, Middle Township, NJ

AGENCY: Coast Guard, DOT.

ACTION: Final rule.

SUMMARY: The Coast Guard is changing the regulations that govern the operation of the drawbridge across Grassy Sound Channel, mile 1.0, in Middle Township, New Jersey, by requiring two-hours advance notice for bridge openings from October 1 to May 14, and from 8 p.m. to 6 a.m. each day from May 15 to September 30. The bridge will be