(5) * * *

(ii) A requester has previously failed to pay a fee charged in a timely fashion. The Commission will require the requester to pay the full amount owed plus any applicable interest, and to make an advance payment of the full amount of the estimated fee before the Commission will begin to process a new request or a pending request from that requester. When the Commission requires advance payment or an agreement to pay under this paragraph, or under § 388.108(a)(5), the administrative time limits prescribed in this part will begin only after the Commission has received the required payments, or agreements.

(c) *Fee reduction or waiver.* (1) Any fee described in this section may be reduced or waived if the requester demonstrates that disclosure of the information sought is:

(i) In the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government, and

(ii) Not primarily in the commercial interest of the requester.

(2) The Commission will consider the following criteria to determine the public interest standard:

(i) Whether the subject of the requested records concerns the operations or activities of the government;

(ii) Whether the disclosure is likely to contribute to an understanding of government operations or activities;

(iii) Whether disclosure of the requested information will contribute to public understanding; and

(iv) Whether the disclosure is likely to contribute significantly to public understanding of government operations or facilities.

(3) The Commission will consider the following criteria to determine the commercial interest of the requester:

(i) Whether the requester has a commercial interest that would be furthered by the requested disclosure; and, if so

(ii) Whether the magnitude of the identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is primarily in the commercial interest of the requester.

(4) This request for fee reduction or waiver must accompany the initial request for records and will be decided under the same procedures used for record requests.

* * * * *

6. In section 388.110 the section heading, the first sentence of paragraph (a)(1), paragraph (a)(2), and paragraph (b) are revised to read as follows:

§ 388.110 Procedure for appeal of denial of requests for Commission records not publicly available or not available through the Public Reference Room, denial of requests for fee waiver or reduction, and denial of requests for expedited processing.

(a) (1) A person whose request for records, request for fee waiver or reduction, or request for expedited processing is denied in whole or part may appeal that determination to the General Counsel or General Counsel's designee within 45 days of the determination. * * *

(2) The General Counsel or the General Counsel's designee will make a determination with respect to any appeal within 20 working days after the receipt of such appeal. An appeal of the denial of expedited processing will be considered as expeditiously as possible within the 20 working day period. If, on appeal, the denial of the request for records, fee reduction, or expedited processing is upheld in whole or in part, the General Counsel or the General Counsel's designee will notify the person making the appeal of the provisions for judicial review of that determination.

(b)(1) *Extension of time.* In unusual circumstances, the time limits prescribed for making the initial determination pursuant to § 388.108 and for deciding an appeal pursuant to this section may be extended by up to 10 working days, by the Secretary, who will send written notice to the requester setting forth the reasons for such extension and the date on which a determination or appeal is expected to be dispatched.

(2) The extension permitted by paragraph (b)(1) of this section may be made longer than 10 working days when the Commission notifies the requester within the initial response time that the request cannot be processed in the specified time, and the requester is provided an opportunity to limit the scope of the request to allow processing within 20 working days; or to arrange with the Commission an alternative time frame.

(3) Two or more requests aggregated into a single request under § 388.109(b)(2)(vii) may qualify for an extension of time if the requests, as aggregated, otherwise satisfy the unusual circumstances specified in this section.

(4) *Unusual circumstances* means:

(i) The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the requests;

(ii) The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(iii) The need for consultation, which will be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

7. In § 388.112, paragraph(c)(1)(i)'s reference to ''paragraph (b)(2)'' is revised to read ''paragraph (b)(1)(ii),'' and paragraph (c)(1)(ii)'s reference to ''paragraph (b)(3)'' is revised to read ''paragraph (b)(1)(iii).''

[FR Doc. 97–26065 Filed 10–1–97; 8:45 am]

BILLING CODE 6717–01–P

DEPARTMENT OF THE INTERIOR

Minerals Management Service

30 CFR Part 250

RIN 1010–AC39

Oil and Gas and Sulphur Operations in the Outer Continental Shelf

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Proposed rule.

SUMMARY: This proposed rule would implement a provision of the December 10, 1996, Memorandum of Understanding (MOU) between the Department of the Interior (DOI) and the Department of Transportation (DOT) Regarding Outer Continental Shelf (OCS) Pipelines. Under this MOU, the two departments jointly regulate OCS pipelines. As specified in the MOU, MMS regulations would pertain to all OCS oil or gas pipelines located upstream of the points at which operating responsibility for the pipelines transfer from a producing operator to a transporting operator.

DATES: MMS will consider all comments we receive by December 1, 1997. We will begin reviewing comments then and may not fully consider comments we receive after December 1, 1997.

ADDRESSES: Mail or hand-carry comments to the Department of the Interior; Minerals Management Service; Mail Stop 4020; 381 Elden Street; Herndon, Virginia 20170–4817; Attention: Rules Processing Team.

FOR FURTHER INFORMATION CONTACT: Carl W. Anderson, Operations Analysis Branch, at (703) 787–1608; e-mail Carl__Anderson@mms.gov.

SUPPLEMENTARY INFORMATION:

Background

MMS, through delegations from the Secretary of the Interior, has authority to promulgate and enforce regulations for the promotion of safe operations, protection of the environment, and conservation of the natural resources of the OCS, as that area is defined in the OCS Lands Act (43 U.S.C. 1331 *et seq*.). The scope of this authority includes the pipeline transportation of mineral production and the approval and granting of rights-of-way for the construction of pipelines and associated facilities on the OCS. MMS also administers the following laws as they relate to OCS pipelines: (1) the Federal Oil and Gas Royalty Management Act of 1982 (FOGRMA) for oil and gas production measurement, and (2) the Federal Water Pollution Control Act, as amended by the Oil Pollution Act of 1990 (OPA) and implemented under Executive Order 12777. (Under a February 3, 1994, MOU to implement OPA, DOI, DOT, and the U.S. Environmental Protection Agency divided their respective responsibilities for oil spill prevention and response according to the definition of ''coast line'' contained in the Submerged Lands Act, 43 U.S.C. 1301(c) (59 FR 9494–9495).) Nothing in this proposed regulation will affect MMS' authority under either FOGRMA or OPA.

Under an MOU between DOI and DOT dated May 6, 1976, MMS regulated oil and gas pipelines located upstream of the outlet flange of each facility where hydrocarbons were first produced or where produced hydrocarbons were first separated, dehydrated or otherwise processed, whichever facility was farther upstream. The Departments agreed to change this regulatory boundary with the signing of the December 10, 1996, MOU. The 1996 MOU was the result of negotiations that began in the summer of 1993 and included a high degree of participation from the regulated industry. MMS and DOT's Research and Special Programs Administration (RSPA) solicited public comments on a draft MOU through a joint MMS and DOT **Federal Register** Notice of May 24, 1995 (60 FR 27546–27549). The Notice announced a public meeting at the MMS Gulf of Mexico OCS regional office in New Orleans, Louisiana, on August 1, 1995, to discuss the proposal. Over 70 people attended the meeting which generated over 100 pages of transcribed comments from natural gas and petroleum trade organizations, natural gas and oil exploration and production companies, transmission companies, offshore construction companies, and industry consultants. A transcript of this meeting is available through the agency representative listed in the **FOR FURTHER INFORMATION** section of this notice. Twenty-three individuals and organizations submitted written comments on the **Federal Register** notice.

In May 1996, MMS and RSPA met with a joint industry workgroup representing OCS oil and natural gas producers and transmission pipeline operators led by the American Petroleum Institute. (The Interstate Natural Gas Association of America also participated on the workgroup.) The industry workgroup proposed that the agencies rely upon individual operators of production and transportation facilities to identify the boundaries of their respective facilities, since producers and transporters can best make such decisions based on the operating characteristics peculiar to each facility. The two agencies agreed with the industry proposal. Under the proposal, MMS would have primary regulatory responsibility for producer-operated facilities and pipelines on the OCS, while RSPA would have primary regulatory responsibility for transporter-operated pipelines and associated pumping or compressor facilities. Producing operators are companies which are engaged in the extraction and processing of hydrocarbons on the OCS. Transporting operators are companies which are engaged in the transportation of those hydrocarbons.

The Purpose of This Proposed Rule

The purpose of this proposed rule is to require OCS producing and transporting operators to designate the specific points on their pipelines where operating responsibility transfers from a producing operator to an adjoining transporting operator. The rule would amend 30 CFR Part 250, Subpart J—Pipelines and Pipeline Rights-of-Way, section 250.150, ''General Requirements,'' § 250.151, ''Definitions,'' and § 250.157, ''Applications.'' Operators would have until 60 days after the date the rule becomes final to identify the specific points at which operating responsibility transfers. In most cases, the specific transfer points would be easily identifiable either because of specific valves or flanges where the adjoining operations connect, or because of differences in paint colors that adjoining operators use to protect and maintain pipeline coatings or surfaces. For those instances in which the transfer points would not be identifiable by a durable marking, each operator would have until 180 days after the final rule becomes effective to mark the transfer points. (The 180-day period would give operators time to mark the transfer points during customary maintenance routines.) The operator would be required to durably mark each transfer point directly on the pipeline (usually at a valve or flange). If it were not practicable to durably mark a transfer point, and the transfer point were located above water, then the operator would be required to depict the transfer point on a schematic located on the facility. Some transfer points could be located subsea. In such cases, the operators also would be required to identify the transfer points on schematics which would be provided to MMS upon request.

For those instances in which adjoining operators could not agree on a transfer point, MMS and RSPA's Office of Pipeline Safety (OPS) would make a joint determination of the boundary.

MMS and OPS could, through their enforcement agencies and in consultation with the affected parties, agree to exceptions to the general boundary description (operations transfer point) on a facility-by-facility or area-by-area basis. Operators also could petition, by letter, MMS and OPS for exceptions to the general boundary description.

For existing lease term pipelines, the current designated operator of the associated lease(s) would have the operating responsibility for the pipeline(s). For right-of-way pipelines, MMS would assume that the current right-of-way grant holder had the operating responsibility, unless the right-of-way grant holder informed MMS otherwise within 60 days after the effective date of this rule. (There are up to 160 designated operators of leases and 70 operators of transportation pipelines on the OCS.)

Applications for new right-of-way pipelines would be required to include an identification of the operator and a boundary demarcation point on the flow schematic submitted in accordance with 30 CFR 250.157(a)(2).

A pipeline segment originally operated under DOT regulations but later transferred under MMS regulatory responsibility as a result of this proposed rulemaking could continue to be operated under DOT requirements, unless the MMS Regional Supervisor determined, based on an MMS safety assessment, that a pipeline segment or component is unsafe. The Regional Supervisor would then notify the operator that MMS regulations apply to that segment or component.

Under 30 CFR 250.3, the MMS Supervisor for Field Operations may approve alternative techniques, procedures, equipment, or activities an operator proposed if such techniques, procedures, equipment, or activities afford a degree of protection, safety, or performance equal to or better than that intended to be achieved by MMS regulations.

Various laws enacted since 1976 have contributed to ambiguity concerning MMS' and OPS' respective responsibilities concerning the approximately 20,000 miles of active OCS oil and gas pipelines and production facilities that were regulated under the May 6, 1976, MOU. The most notable legislative changes included the 1978 OCS Lands Act Amendments; the Hazardous Liquid Pipeline Safety Act of 1979; the OPA of 1990; and the Pipeline Safety Act amendments of 1990, 1992, 1995, and 1996.

The December 1996 MOU would re-define MMS–OPS regulatory boundary from the OCS facility where hydrocarbons are *first* produced, separated, dehydrated, or otherwise processed to the point at which operating responsibility for the pipeline transfers from a producing operator to a transporting operator. The MOU would place, to the greatest extent practicable, producer-operated pipelines under DOI regulation and transporter-operated pipelines under DOT regulation.

In its 1994 report ''*Improving the Safety of Marine Pipelines*,'' the National Academy of Sciences Marine Board recommended: ''To make better use of inspection resources and help integrate enforcement of MMS and OPS marine pipeline safety regulations, the committee recommends that enforcement of OPS regulations offshore be performed by MMS, through an interagency agreement or redefinition of the memorandum of understanding that defines the jurisdictional division between OPS and MMS * * *.'' In response to this recommendation, the 1996 MOU provides for DOI to act as an agent for the DOT in identifying and reporting potential violations of DOT regulations at platforms on the OCS. As an agent, DOI may inspect all DOT-regulated pipeline facilities on production platforms during DOI inspections. DOI may also perform coordinated DOI/DOT inspections of pipeline facilities on DOT-regulated platforms. The inspections may include reviewing any operating or maintenance records or reports that are located at the inspected OCS platform facility.

Executive Order (E.O.) 12866

This is not a significant rule under E.O. 12866 and does not require review by the Office of Management and Budget (OMB). An analysis of the proposed rule indicates that the direct costs to industry for the entire proposed rule total approximately $360,000 for the first year, and that in succeeding years, the cost of the rule to industry would not likely exceed $255,000.

Regulatory Flexibility Act

DOI has determined that this rule will not have a significant economic effect on a substantial number of small entities. While this rule would affect a substantial number of ''small entities,'' the economic effects of the rule would not be significant. There are many companies on the OCS that are ''small businesses'' as defined by the Small Business Administration. However, the technology necessary for conducting offshore oil and gas exploration and development activities is very complex and costly, and most entities that engage in offshore activities have considerable financial resources disproportionate to their numbers of employees and well beyond what would normally be considered ''small business.''

DOI's analysis of the economic impacts indicates that direct costs to industry for the entire proposed rule total approximately $360,000 for the first year, and in succeeding years, the cost of the rule to industry would not likely exceed $255,000 annually. These annual costs would not persist for long, because all pipelines converted to MMS regulation eventually would come into compliance with MMS safety valve requirements. There are up to 160 designated operators of leases and 70 operators of transportation pipelines on the OCS (both large and small operators), and the economic impacts on the oil and gas production and transportation companies directly affected would be minor. Not all operators affected would be small businesses, but much of their modification costs may be paid to offshore service contractors who may be classified as small businesses. Operators having to install new automatic shutdown valves as a result of transferring under MMS regulations would sustain the greatest economic impact from this rule. It is impractical, however, to determine in advance which operators would be affected, because the operators themselves will determine the transfer points between producers and transporters.

To the extent that this rule might eventually cause some of the relatively larger OCS operators to make modifications to their pipelines, it may have a minor beneficial effect of increasing demand for the services and equipment of smaller service companies and manufacturers. This rule would not impose any new restrictions on small pipeline service companies or manufacturers, nor will it cause their business practices to change.

Paperwork Reduction Act

This proposed rule contains a collection of information which we have submitted to the OMB for review and approval under section 3507(d) of the Paperwork Reduction Act of 1995. As part of our continuing effort to reduce paperwork and respondent burdens, MMS invites the public and other Federal agencies to comment on any aspect of the reporting burden imposed by this proposed rule. Submit your comments to the Office of Information and Regulatory Affairs, OMB; Attention: Desk Officer for the Department of the Interior (OMB control number 1010–XXXX); Washington, DC 20503. Send a copy of your comments to the Rules Processing Team; Mail Stop 4020; 381 Elden Street; Herndon, Virginia 20170–4817. You may obtain a copy of the supporting statement for the collection of information by contacting the Bureau's Information Collection Clearance Officer at (202) 208–7744.

The Paperwork Reduction Act of 1995 provides that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. OMB has up to 60 days to approve or disapprove this collection of information but may respond after 30 days from receipt of our request. Therefore, your comments are best assured of being considered by OMB if OMB receives them within 30 days of publication of this notice. However, MMS will consider all comments received during the comment period for this notice of proposed rulemaking.

The title of this collection of information is ''Implementation of Memorandum of Understanding Between the Departments of the Interior and Transportation.''

The collection of information in the proposed rule consists of (1) reviewing existing pipeline maps, conferring and agreeing with operators of adjoining transportation pipeline segments concerning the locations of specific transfer points, and either marking directly on each pipeline or depicting on a schematic the specific point on each pipeline where operating responsibility transfers from the

producing operator to a transporting operator; (2) identifying the operator of right-of-way pipelines if different from the grant holder; and (3) allowing for petitions for exceptions to general operations transfer points. As stated above under the ''Intent of the Proposed Rule'' section, specific transfer points will be easily identifiable in most cases, either because of specific valves or flanges where the adjoining operations connect, or because of differences in paint that adjoining operators use to protect and maintain pipeline coatings or surfaces.

The requirement to respond is mandatory. MMS uses the information to determine the demarcation where pipelines are subject to MMS design, construction, operation, and maintenance requirements, as distinguished from similar OPS requirements.

The regulated community consists of up to 160 Federal OCS oil and gas lease designated operators and 70 transportation pipeline operators. There are approximately 3,000 points where operating responsibility for pipelines transfers from a producer to a transporter. MMS assumes that about 2,400 (representing 80 percent) of these transfer points are already marked. Therefore, this rulemaking would require a one-time identification and marking of about 600 points where operating responsibility for pipelines transfers from a producer to a transporter. For the 2,400 transfer points that are clearly marked, there would be no information burden. The 600 unmarked transfer points, on the other hand, would require widely-varying times for marking depending on whether a painted line or a schematic was used to mark the transfer point.

The public reporting burden for this proposed information collection requirement is estimated to average 5 hours per response. This includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing the required marking. The average annualized burden over a 3-year period would be 1,051 hours.

MMS will summarize written responses to this notice and address them in the final rule. All comments will become a matter of public record.

1. MMS specifically solicits comments on the following questions:

(a) Is the proposed collection of information necessary for the proper performance of MMS's functions, and will it be useful?

(b) Are the estimates of the burden hours of the proposed collection reasonable?

(c) Do you have any suggestions that would enhance the quality, clarity, or usefulness of the information to be collected?

(d) Is there a way to minimize the information collection burden on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other forms of information technology?

2. In addition, the Paperwork Reduction Act of 1995 requires agencies to estimate the total annual cost burden to respondents or record keepers resulting from the collection of information. MMS needs your comments on this item. Your response should split the cost estimate into two components: (a) Total capital and startup cost, and (b) annual operation, maintenance, and purchase of services. Your estimates should consider the costs to generate, maintain, and disclose or provide the information. You should describe the methods you use to estimate major cost factors, including system and technology acquisition, expected useful life of capital equipment, discount rate(s), and the period over which you incur costs. Capital and startup costs include, among other items, computers and software you purchase to prepare for collecting information; monitoring, sampling, drilling, and testing equipment; and record storage facilities. Generally, your estimates should not include equipment or services purchased: before October 1, 1995; to comply with requirements not associated with the information collection; for reasons other than to provide information or keep records for the Government; or as part of customary and usual business or private practices.

Takings Implication Assessment

DOI certifies that the proposed rule does not represent a governmental action capable of interference with constitutionally protected property rights. Thus, a Takings Implication Assessment need not be prepared pursuant to E.O. 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights.

Unfunded Mandates Reform Act of 1995

This rule does not contain any unfunded mandates to State, local, or tribal governments, nor would it impose significant regulatory costs on the private sector. Anticipated costs to the private sector will be far below the $100 million threshold for any year that was established by the Unfunded Mandates Reform Act.

E.O. 12988

DOI has certified to OMB that this proposed regulation meets the applicable civil justice reform standards provided in sections 3(a) and 3(b)(2) of E.O. 12988.

National Environmental Policy Act

Under 516 DM 6, Appendix 10.4, ''issuance and/or modification of regulations'' is considered a categorically excluded action causing no significant effects on the environment and, therefore, does not require preparation of an environmental assessment or impact statement. DOI completed a Categorical Exclusion Review for this action on April 22, 1997, and concluded: ''The proposed rulemaking does not represent an exception to the established criteria for categorical exclusion.''

List of Subjects in 30 CFR Part 250

Continental shelf, Environmental impact statements, Environmental protection, Government contracts, Incorporation by reference, Investigations, Mineral royalties, Oil and gas development and production, Oil and gas exploration, Oil and gas reserves, Penalties, Pipelines, Public lands—mineral resources, Public lands—rights-of-way, Reporting and recordkeeping requirements, Sulphur development and production, Sulphur exploration, Surety bonds.

Dated: September 22, 1997.

Sylvia V. Baca,

Assistant Secretary, Land and Minerals Management.

For the reasons stated in the preamble, Minerals Management Service proposes to amend 30 CFR part 250 as follows:

PART 250—OIL AND GAS AND SULPHUR OPERATIONS IN THE OUTER CONTINENTAL SHELF

1. The authority citation for part 250 continues to read as follows:

Authority: 43 U.S.C. 1331, *et seq.*

2. In § 250.150, paragraph (c) is revised to read as follows:

§ 250.150 General requirements.

* * * * *

(c)(1) Department of the Interior (DOI) pipelines, as defined in § 250.151 of this subpart, must meet the requirements for design, construction, operation, maintenance, and abandonment contained in §§ 250.150 through 250.158 of this subpart.

(2) A pipeline right-of-way grant holder must identify in writing to the Regional Supervisor the operator of any pipeline located on its right-of-way if the operator is different from the right-of-way grant holder.

(3) A producing operator must identify on all existing pipelines located on its lease or right-of-way the specific points at which operating responsibility transfers to a transporting operator.

(i) If the transfer points are not identifiable by a durable marking, each producing operator must mark all above-water transfer points by (insert date 180 days after the final rule is published). The operators of new pipelines also must durably mark all above-water transfer points directly on each pipeline.

(ii) If it is not practical to durably mark a transfer point, and the transfer point is located above water, then the operator must depict the transfer point on a schematic located on the facility.

(iii) If a transfer point is located subsea, then the operator also must identify the transfer point on a schematic. The operator must provide the schematic to MMS upon request.

(iv) If a producing and an adjoining transporting operator cannot agree on a transfer point by the date specified in paragraph (c)(3)(i) of this section, the MMS Regional Supervisor and the Department of Transportation (DOT) Office of Pipeline Safety (OPS) Regional Director may jointly determine the transfer point.

(4) Operators may petition, by letter, the MMS Regional Supervisor for exceptions to the general operations transfer point description on a facility-by-facility or an area-by-area basis. The Regional Supervisor, in consultation with the OPS Regional Director and affected parties, may grant such exceptions.

(5) Pipeline segments designed and constructed under DOT regulations before (*INSERT THE EFFECTIVE DATE OF THE FINAL RULE*), may continue to operate under DOT design and construction requirements until significant modifications or repairs are made to those segments. After (*INSERT THE EFFECTIVE DATE OF THE FINAL RULE*), MMS operational and maintenance requirements will apply to those segments.

* * * * *

3. In § 250.151, a definition for the term ''DOI pipelines'' is added in alphabetical order as follows:

§ 250.151 Definitions.

* * * * *

DOI pipelines are those pipelines extending upstream from each point on the OCS at which operating responsibility transfers from a producing operator to a transporting operator.

* * * * *

4. Section 250.157 is amended by revising the title, revising paragraph (a) introductory text, and adding a new sentence at the end of paragraph (a)(2) to read as follows:

§ 250.157 What to include in applications.

(a) Applications to install a lease term pipeline or for a pipeline right-of-way grant must be submitted in quadruplicate to the Regional Supervisor. Right-of-way grant applications must include an identification of the operator of the pipeline. Each application must include the following:

* * * * *

(2) * * * The schematic must indicate the point on the OCS at which operating responsibility transfers from a producing operator to a transporting operator.

* * * * *

[FR Doc. 97–26073 Filed 10–1–97; 8:45 am]

BILLING CODE 4310–MR–P

DEPARTMENT OF THE TREASURY

Fiscal Service

31 CFR Part 208

RIN 1510–AA56

Management of Federal Agency Disbursements: Hearing

AGENCY: Financial Management Service, Fiscal Service, Treasury.

ACTION: Change of date of public hearing.

SUMMARY: This document changes the date of the New York City public hearing on proposed regulations relating to the government's use of electronic funds transfer to make all Federal payments, with the exception of tax refunds, after January 1, 1999.

DATES: The public hearing in New York City is being held on Monday, October 20, 1997 beginning at 10:00 a.m. Requests to testify at the hearing and outlines of testimony must be received by Friday, October 10, 1997.

ADDRESSES: The public hearing in New York City will be held at the U.S. Alexander Hamilton Customs House, 1 Bowling Green, New York, New York.

FOR FURTHER INFORMATION CONTACT: Regarding the hearing, contact Martha Thomas-Mitchell at (202) 874–6757 or at Internet address martha.thomas-mitchell@fms.sprint.com. For general information on the proposed regulation, contact Robyn Schulhof at (202) 874–6754 or Diana Shevlin at (202) 874–7032.

SUPPLEMENTARY INFORMATION: A notice of proposed rulemaking appearing in the **Federal Register** on September 16, 1997 (62 FR 48714) announced that a public hearing would be held in New York City on October 27, 1997 at the U.S. Alexander Hamilton Customs House, 1 Bowling Green, New York, New York, and that requests to speak at the hearing were to be received 14 days prior. The date of the hearing has changed as well as the due date for requests to testify at the hearing. The location of the hearing remains the same as originally published.

Dated: September 29, 1997.

Michael T. Smokovich,

Deputy Commissioner.

[FR Doc. 97–26197 Filed 9–30–97; 8:45 am]

BILLING CODE 4810–35–P

DEPARTMENT OF DEFENSE

Corps of Engineers, Department of the Army

33 CFR Part 334

Danger Zones, Chesapeake Bay, Point Lookout to Cedar Point, Maryland; Correction

AGENCY: U.S. Army Corps of Engineers, DOD.

ACTION: Proposed rule; correction and extension of comment period.

SUMMARY: This document corrects the preamble to a proposed rule published in the **Federal Register** on September 8, 1997, which concerns the Navy's request to amend the danger zone regulations. In the preamble the size of a restricted area is incorrectly expressed in feet. It should be expressed in yards. In addition, the comment period for this proposed rule which is scheduled to end on October 8, 1997, is extended until 31, 1997, to coincide with the comment period of a similar public notice issued by the Army Corps of Engineers Baltimore District.

DATES: Comments should be submitted by October 31, 1997.

ADDRESSES: HQUSACE, CECW–OR, Washington, D.C. 20314–1000.

FOR FURTHER INFORMATION CONTACT: Mr. Steve Elinsky at (410) 962–4503 or Mr. Ralph Eppard at (202) 761–1783.

Correction

In the proposed rule published in the **Federal Register** on September 8, 1997