

Dated: April 3, 1998.

**Michael J. Gaines,**

*Chairman, Parole Commission.*

[FR Doc. 98-9330 Filed 4-9-98; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

**30 CFR Parts 56, 57, 62, 70, and 71**

**RIN 1219-AA53**

#### Health Standards for Occupational Noise Exposure

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Supplemental proposed rule; extension of comment period and close of record.

**SUMMARY:** MSHA is extending the post-hearing comment period and close of record regarding the Agency's supplemental proposed rule for occupational noise exposure, which was published in the **Federal Register** on December 31, 1997.

**DATES:** Comments must be received on or before April 24, 1998.

**ADDRESSES:** Comments on this supplemental proposed rule must be clearly identified as such and may be transmitted by electronic mail to [comments@msha.gov](mailto:comments@msha.gov); by fax to MSHA, Office of Standards, Regulations, and Variances, 703-235-5551; or by mail to MSHA, Office of Standards, Regulations, and Variances, 4015 Wilson Boulevard, Room 631, Arlington, VA 22203. Interested persons are encouraged to supplement written comments with computer files or disks; please contact the Agency with any format questions.

**FOR FURTHER INFORMATION CONTACT:** Patricia W. Silvey, Director; MSHA, Office of Standards, Regulations, and Variances; 703-235-1910.

**SUPPLEMENTARY INFORMATION:** On December 31, 1997, MSHA published in the **Federal Register** (62 FR 68468) a proposed rule which would supplement MSHA's proposed rule for occupational noise exposure in coal and metal and nonmetal mines, published December 17, 1996 (61 FR 66348). The supplemental proposal would require mine operators to provide affected miners and miners' representatives with an opportunity to observe operator monitoring required under § 62.120(f) of MSHA's proposed rule for occupational noise exposure. It also would require mine operators to inform miners and miners' representatives of the dates and

times of planned operator noise monitoring so that miners and miners' representatives would have an opportunity to exercise the right to observe monitoring.

The comment period closed on February 17, 1998. MSHA held a public hearing on March 10, 1998, in Washington, DC. To allow for the submission of post-hearing comments the record was scheduled to close on April 9, 1998. Due to requests from the mining community, the Agency is extending the post-hearing comment period and close of record to April 24, 1998. MSHA believes that this extension will provide sufficient time for all interested parties to review and comment on the proposal, and on the written comments and testimony that the Agency has received thus far. All interested members of the mining public are encouraged to submit comments prior to April 24, 1998.

Dated: April 7, 1998.

**J. Davitt McAteer,**

*Assistant Secretary for Mine Safety and Health.*

[FR Doc. 98-9597 Filed 4-8-98; 9:53 am]

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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:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change 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 would be unattended during these time periods and requests for openings would require calling (609) 368-4591. This proposed rule is intended to help lessen the high cost of manning the drawbridge 24 hours a day while still providing for the reasonable needs of navigation.

**DATES:** Comments must be received on or before June 9, 1998.

**ADDRESSES:** Comments may be mailed to Commander (Aowb), Fifth Coast Guard

District, Federal Building, 4th Floor, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be hand-delivered to the same address between 8 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays. The telephone number is (757) 398-6222. Comments will become a part of this docket and will be available for inspection and copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (757) 398-6222.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD05-98-015), the specific section of this rule to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. 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 view of the comments.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (Aowb), Fifth Coast Guard District, at the address listed under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

##### Background and Purpose

The Ocean Drive drawbridge across the Grassy Sound Channel, mile 1.0, in Middle Township is currently required to open on signal year-round. The Cape May County Bridge Commission, through the Cape May County Department of Public Works, has requested permission to cease having the bridge attended 24-hours per day year-round. This proposed rule is intended to decrease the number of hours the bridge is attended in order to help lessen the high cost of perpetually manning the drawbridge while still

providing for the reasonable needs of navigation. In support of its request, Cape May County asserts that 8 years of drawbridge opening logs (from 1990 through 1997) show that marine vessel traffic significantly decreased at night and during the winter (Oct. 1 through May 14).

The Coast Guard has reviewed these logs (copies of which are included in the docket for this rulemaking) and they appear to support Cape May County's request. According to the January 1990 to June 1997 drawbridge logs, 680 openings occurred, of which 177 were for construction vessels and 503 for private vessels.

Of the 503 private vessel openings, the average for the 8 year period was 0.183 openings per day; only 16 of the 503 openings for private vessels occurred at night between 8 p.m. and 6 a.m. with an average opening rate of 0.005 per day for the 8-year period. Only 74 of the 503 private vessel bridge openings occurred from October 1 to May 14 with an average rate of 0.043 openings per day for the winter, as compared with the higher rate of 0.430 openings per day during the summer (May 15 to September 30). The majority of openings for construction vessels occurred during 1991 and 1992, in the daytime. Due to this circumstance and the infrequency of construction vessel bridge openings from 1990-97, and 177 construction vessel openings are not included in this analysis.

The winter and night bridge opening rates, when compared to summer and daytime averages, indicate that it would be advantageous to change the drawbridge operating regulations. Based on this data, the Coast Guard believes that requiring two-hours notice for openings, during the proposed time periods (night and winter) would not overburden marine traffic.

#### Discussion of Proposed Rule

The Coast Guard is proposing a new regulation governing the operation of this drawbridge. The proposed rule would require two-hours advance notice for openings from October 1 through May 14, and from 8 p.m. to 6 a.m. each day from May 15 through September 30. The bridge would be unattended during these time periods and requests for openings would require calling (609) 368-4591. The Coast Guard believes that these proposed changes will lessen the high cost of the drawbridge's operation while still providing for the reasonable needs of navigation.

The drawbridge is required to operate in compliance with 33 CFR 117.31(b), Operation of draw for emergency

situations, and 33 CFR 117.55, Posting of requirements.

The new regulation would be designated § 117.721 in Title 33 of the Code of Federal Regulations.

#### 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 been exempted from review 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.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601-612), the Coast Guard must consider whether this proposed rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this proposed rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501-3520).

#### Federalism

The Coast Guard has analyzed this proposal under 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 proposal and concluded that under section 2.B.2.a. Figure 2-1(32)(e) of Commandant Instruction M16475.1C (dated 14 November 1997), this proposed rule is categorically excluded from further environmental

documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 117 of title 33, Code of Federal Regulations 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. A new § 117.721 is added to read as follows:

#### § 117.721 Grassy Sound Channel.

The draw of the Grassy Sound Channel Bridge, mile 1.0 in Middle Township, will open on signal from 6 a.m. to 8 p.m. from May 15 through September 30; two-hours advance notice is required for all other openings by phoning (609) 368-4591.

Dated: March 27, 1998.

**Roger T. Rufe, Jr.,**

*Vice Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District.*

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#### DEPARTMENT OF TRANSPORTATION

#### Coast Guard

#### 33 CFR Part 151

[USCG-98-3423]

RIN 2115-AD98

#### Implementation of the National Invasive Species Act of 1996 (NISA)

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** To comply with the National Invasive Species Act of 1996 (NISA), the Coast Guard proposes both regulations and voluntary guidelines to control the invasion of aquatic nuisance species (ANS). Ballast water from ships is the largest pathway for the intercontinental introduction and spread of ANS. This rulemaking would amend existing regulations for the Great Lakes ecosystem, establish voluntary ballast water exchange guidelines for all other waters of the United States, and