

(b) If you owe less than \$500 in quarterly reclamation fees for one or more mines, you may:

(1) Forward payments by electronic transfer in accordance with the procedures specified in paragraph (a) of this section; or

(2) Submit a check or money order payable to the Office of Surface Mining Reclamation and Enforcement in the same envelope with the OSM-1 Form to the address indicated in the Instructions for Completing the OSM-1 Form.

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## DEPARTMENT OF HOMELAND SECURITY

### Coast Guard

#### 33 CFR Part 117

[Docket No. USCG-2022-0222]

#### Drawbridge Operation Regulation; Okeechobee Waterway, Stuart, FL

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notice of temporary deviation from regulations; request for comments.

**SUMMARY:** The Coast Guard is modifying a temporary deviation from the operating schedule that governs the Florida East Coast (FEC) Railroad Bridge, across the Okeechobee Waterway (OWW), mile 7.41, at Stuart, Florida. This modification tests an alternate temporary deviation to determine if the updated mobile application and simplified drawbridge opening requirements are reliable and predictable and will meet the reasonable needs of navigation and competing modes of transportation given the increase in railway activity. The Coast Guard is seeking comments from the public regarding this deviation.

**DATES:** This deviation is effective from 12:01 a.m. on February 12, 2024, through 11:59 p.m. on August 9, 2024.

Comments and related material must reach the Coast Guard on or before May 6, 2024.

**ADDRESSES:** You may submit comments identified by docket number USCG-2022-0222 using Federal Decision Making Portal at <https://www.regulations.gov>.

See the "Public Participation and Request for Comments" portion of the **SUPPLEMENTARY INFORMATION** section below for instructions on submitting comments.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this temporary

deviation, call or email Ms. Jennifer Zercher, Bridge Management Specialist, Seventh Coast Guard District; telephone 571-607-5951, email

*Jennifer.N.Zercher@uscg.mil*.

#### SUPPLEMENTARY INFORMATION:

##### I. Background, Purpose and Legal Basis

The Florida East Coast (FEC) Railroad Bridge across the Okeechobee Waterway (OWW), mile 7.41, at Stuart, Florida, is a single-leaf bascule bridge with a six-foot vertical clearance at mean high water in the closed position. The normal operating schedule for the bridge is found in 33 CFR 117.317(c).

On August 11, 2023, the Coast Guard published a temporary deviation entitled "Drawbridge Operation Regulation; Okeechobee Waterway, Stuart, FL" in the **Federal Register** (88 FR 54487). That temporary deviation, effective from 12:01 a.m. on August 15, 2023, through 11:59 p.m. on December 17, 2023, allowed the drawbridge to operate on a more predictable schedule due to the significant increase in railway activity.

On November 7, 2023, the Coast Guard published a notice reopening the comment period until November 30, 2023, because service was delayed on the passenger train (88 FR 76666).

On December 7, 2023, the Coast Guard published a temporary deviation modification which extended the temporary deviation through 12:59 p.m. on February 11, 2024. This action was necessary to allow the Coast Guard sufficient time to review public comments, while providing continuity in the operation of the drawbridge to determine if the temporary deviation will meet the reasonable needs of competing modes of transportation or if an alternate temporary deviation may be needed (88 FR 85111).

The Coast Guard has determined an alternate temporary deviation should be considered based on comments and feedback from marine industries and the bridge owner. Of the 216 comments received, 185 were unrelated to the temporary deviation and were not taken into consideration when developing this alternate temporary deviation. There were 16 comments received that stated the temporary deviation does not provide sufficient time for marine traffic, but no extenuating information was given to support that comment. The remaining comments stated the mobile application was not reliable as it was not accurately displaying the status of the drawbridge. Mariners were unable to plan for transits as the mobile application would show the drawbridge open to navigation, but the bridge was closed to navigation for the passage of

rail traffic when mariners arrived at the bridge. It was discovered the mobile application was not updated with the full train schedule for both freight and passenger rail service. We are testing this alternate temporary deviation to determine if the updated mobile application and simplified drawbridge opening requirements are reliable and predictable and will meet the reasonable need of navigation.

Under this temporary deviation modification from 12:01 a.m. on February 12, 2024, through 11:59 p.m. on August 9, 2024, the FEC Railroad Bridge will be maintained in the fully open-to-navigation position, except during periods when it is closed for the passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard. However, the bridge will not be closed for more than 50 consecutive minutes in any given hour during daytime operations (6 a.m. to 8 p.m.) and for more than 7 total hours during daytime operations (6 a.m. to 8 p.m.).

Notwithstanding the above paragraph, the drawbridge will open and remain open to navigation for a fixed 10-minute period at the top of each hour from 6 a.m. to 8 p.m.

From 8:01 p.m. until 5:59 a.m. daily, the drawbridge will remain in the fully open-to-navigation position, except during periods when it is closed for the passage of train traffic, to conduct inspections, and to perform maintenance and repairs authorized by the Coast Guard. The drawbridge will not be closed more than 60 consecutive minutes.

If a train is in the track circuit at the start of a fixed opening period, the opening may be delayed up to, but not more than, five minutes. Once the train has cleared the circuit, the bridge must open immediately for navigation to begin the fixed opening period.

The drawbridge will be tended from 6 a.m. to 8 p.m., daily. The bridge tender will monitor VHF-FM channels 9 and 16 and will provide estimated times of drawbridge openings and closures, or any operational information requested. Operational information will be provided 24 hours a day by telephone at (772) 403-1005.

The drawbridge owner will maintain a mobile application. The drawbridge owner will publish drawbridge opening times, and the drawbridge owner will provide timely updates to schedules, including but not limited to, impacts due to emergency circumstances, inspections, maintenance, and repairs authorized by the Coast Guard.

Signs will be posted and visible to marine traffic, displaying VHF radio contact information, application information, and the telephone number for the bridge tender.

During the temporary deviation, a copy of the drawbridge logbook for the previous week will be provided to the Seventh Coast Guard District Bridge Manager by 4 p.m. each Monday.

In accordance with 33 CFR 117.35(e), the drawbridge must return to its regular operating schedules immediately at the end of the effective period of this temporary deviation. This deviation from the operating regulation is authorized pursuant to 33 CFR 117.35.

## II. Public Participation and Request for Comments

We view public participation as essential to determining the needs of the public and will consider all comments and material received during the comment period. Your comment can help shape the outcome of future actions. If you submit a comment, please include the docket number for this test deviation, indicate the specific section of this document to which each comment applies, and provide a reason for each suggestion or recommendation.

**Submitting comments.** We encourage you to submit comments through the Federal Decision-Making Portal at <https://www.regulations.gov>. To do so, go to <https://www.regulations.gov>, type USCG-2022-0222 in the search box and click "Search." Next, look for this document in the Search Results column, and click on it. Then click on the Comment option. If your material cannot be submitted using <https://www.regulations.gov>, contact the person in the **FOR FURTHER INFORMATION CONTACT** section of this document for alternate instructions.

**View material in the docket.** To view documents mentioned in this deviation as being available in the docket, find the docket as described in the previous paragraph, and then select "Supporting & Related Material" in the Document Type column. Public comments will also be placed in our online docket and can be viewed by following instructions on the <https://www.regulations.gov> Frequently Asked Questions web page. Also, if you go to the online docket and sign up for email alerts, you will be notified when comments are posted, or a final rule is published of any posting or updates to the docket.

We review all comments received, but we will only post comments that address the topic of this deviation. We may choose not to post off-topic, inappropriate, or duplicate comments that we receive.

We accept anonymous comments. Comments we post to <https://www.regulations.gov> will include any personal information you have provided. For more about privacy and submissions in response to this document, see DHS's eRulemaking System of Records notice (85 FR 14226, March 11, 2020).

Dated: January 31, 2024.

**Randall D. Overton**,  
Director, Bridge Administration, Seventh Coast Guard District.

[FR Doc. 2024-02389 Filed 2-5-24; 8:45 am]

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## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 16

[EPA-HQ-OMS-2023-0020; FRL-10620-04-OMS]

### Privacy Act Regulations for EPA; Correction

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; correction.

**SUMMARY:** The EPA is correcting a final rule published in the **Federal Register** on November 8, 2023, that revised and updated EPA's Privacy Act regulations to exempt the Office of Inspector General (OIG) Data Analytics Enterprise system of records from certain provisions of the Privacy Act.

**DATES:** This correction is effective February 6, 2024.

**ADDRESSES:** The EPA has established a docket for this action under Docket ID No. EPA-HQ-OMS-2023-0020. All documents in the docket are listed on the <https://www.regulations.gov> website. Although listed in the index, some information is not publicly available, e.g., confidential business information (CBI) or other information whose disclosure is restricted by statute. Certain other material, such as copyrighted material, is not placed on the internet and will be publicly available only in hard copy form. Publicly available docket materials are available electronically through <https://www.regulations.gov>.

**FOR FURTHER INFORMATION CONTACT:** Daniel Porter, Director, Data Analytics Directorate, Office of Inspector General, Environmental Protection Agency, 1200 Pennsylvania Avenue NW, Washington, DC 20004; telephone number: 202-309-6449; email address: [oig.data\\_analytics@epa.gov](mailto:oig.data_analytics@epa.gov).

**SUPPLEMENTARY INFORMATION:** The EPA is correcting a final rule that was

published in the **Federal Register** on November 8, 2023, that will be effective on February 6, 2024 (88 FR 76999). The final rule revised and updated EPA's Privacy Act regulations to exempt the OIG Data Analytics Enterprise system of records from certain provisions of the Privacy Act. The final rule did not properly incorporate revisions to EPA's Privacy Act regulations promulgated in a separate rulemaking on November 17, 2023, that became effective on January 16, 2024 (88 FR 80139). This action makes technical corrections and does not change any substantive action taken by the EPA in the November 8, 2023, final rule.

Under the Administrative Procedure Act (APA), 5 U.S.C. 553(b)(B) and (d), notice and comment for this action is unnecessary because it merely makes ministerial corrections to the November 8 final rule and does not impose any burdens on the regulated community.

### Do any of the statutory and Executive order review apply to this action?

For a detailed discussion concerning the statutory and Executive order review refer to Unit III. of the November 8, 2023, final rule.

### Congressional Review Act

Pursuant to the Congressional Review Act (5 U.S.C. 801 *et seq.*), EPA will submit a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the United States prior to publication of the rule in the **Federal Register**. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

### Correction

■ In FR Doc. 2023-24233, beginning on page 76999 in the **Federal Register** of November 8, 2023, make the following corrections. On page 77003, beginning in the second column, amendatory instruction 3 for § 16.12 and the accompanying regulatory text are corrected to read as follows:

- 3. Amend § 16.12 by:
  - a. Adding paragraph (a)(1)(viii);
  - b. Revising the first sentence of paragraph (a)(4)(i) and paragraphs (a)(4)(iii), (a)(5) introductory text, and (b)(1)(ii);
  - c. Adding paragraph (b)(1)(iii); and
  - d. Revising paragraphs (b)(4)(i) and (ii) and (b)(5) introductory text.

The additions and revisions read as follows:

### § 16.12 Specific exemptions.

- (a) \* \* \*
- (1) \* \* \*