

**DEPARTMENT OF LABOR****Occupational Safety and Health Administration****29 CFR Parts 1904 and 1952****Recording and Reporting Occupational Injuries and Illnesses; Notice of Meeting; Extension of Comment Period**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Department of Labor.

**ACTION:** Proposed rule; notice of meeting.

**SUMMARY:** OSHA published a Notice of Proposed Rulemaking covering the recording and reporting of workplace deaths, injuries and illnesses, which appeared in the Federal Register on February 2, 1996 (61 FR 4030). OSHA held a public meeting regarding this proposal from March 26 to March 29, 1996. In response to a request from other interested stakeholders who were unable to attend this meeting, OSHA will hold an additional public meeting beginning on April 30, 1996. The purpose of the meeting is to give the public another opportunity to provide information to OSHA concerning issues raised by the proposal. As a result of the scheduling of this second public meeting, OSHA is extending the end of the public comment period from May 2 to May 31, 1996.

**DATES:** The public meeting will be held April 30, 1996 beginning at 8:30 a.m. and extend through May 1, if necessary. Persons wishing to make presentations should contact Tom Hall on or before April 19, 1996. OSHA invites the public to submit written comments on the NPRM on or before May 31, 1996.

**ADDRESSES:** The meeting will be held at the U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210 in Room S-4215. Persons wishing to make presentations should contact Tom Hall at U.S. Department of Labor, OSHA, Room N-3647, 200 Constitution Avenue NW, Washington D.C. 20210, (202) 219-8148. Written comments are to be submitted in writing in quadruplicate to: Docket Officer, Docket No. R-02, Occupational Safety and Health Administration, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue NW, Washington D.C. 20210, telephone (202) 219-7894.

**FOR FURTHER INFORMATION CONTACT:** Ms. Anne Cyr, U.S. Department of Labor, OSHA, Room N-3647, 200 Constitution Avenue NW., Washington, DC 20210, (202) 219-8148.

**SUPPLEMENTARY INFORMATION:** The meeting will be open to the public.

Seating, however, is limited and will be available on a first-come, first-serve basis. The amount of time available for each presenter may be limited by OSHA, if necessary.

Signed in Washington, D.C., this 3rd day of April, 1996.

Joseph A. Dear,

*Assistant Secretary of Labor.*

[FR Doc. 96-8674 Filed 4-5-96; 8:45 am]

**BILLING CODE 4510-26-P**

**DEPARTMENT OF THE INTERIOR****Office of Surface Mining Reclamation and Enforcement****30 CFR Part 914**

**[SPATS No. IN-122-FOR, Amendment No. 95-1]**

**Indiana Regulatory Program**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed rule; withdrawal of proposed amendment.

**SUMMARY:** OSM is announcing the withdrawal of a proposed amendment to the Indiana regulatory program (hereinafter the "Indiana program") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). The proposed amendment pertained to revisions to the Indiana Administrative Code (IAC) regulations pertaining to procedural rules for petitions for review and the suspension or revocation of permits. Indiana is withdrawing this amendment because it needs more time to complete revisions pursuant to a subsequent recodification of related procedural rules by the Indiana Natural Resources Commission, Division of Hearings.

**EFFECTIVE DATE:** April 8, 1996.

**FOR FURTHER INFORMATION CONTACT:** Roger W. Calhoun, Director, Indianapolis Field Office, Telephone: (317) 226-6700.

**SUPPLEMENTARY INFORMATION:** By letter dated May 3, 1995 (Administrative Record No. IND-1459), Indiana submitted a proposed amendment to its program pursuant to SMCRA. The amendment concerned revisions to 310 IAC 0.6-1-5 and 310 IAC 12-6-6.5 concerning procedures for petitions for review and the suspension or revocation of permits. Indiana submitted the proposed amendment at its own initiative.

On May 30, 1995, OSM announced receipt of and solicited public comment

on the proposed amendment in the **FEDERAL REGISTER** (60 FR 28069).

On March 12, 1996 (Administrative Record No. IND-1534), Indiana requested that the proposed amendment be withdrawn. Indiana intends to revise the amendment prior to resubmitting it for formal review and approval by OSM.

Therefore, the proposed amendment announced in the May 30, 1995, Federal Register is withdrawn.

**List of Subjects in 30 CFR Part 914**

Intergovernmental relations, Surface mining, Underground mining.

Date: March 29, 1996

Brent Wahlquist,

*Regional Director, Mid-Continent Regional Coordinating Center.*

[FR Doc. 96-8629 Filed 4-5-96; 8:45 am]

**BILLING CODE 4310-05-M**

**30 CFR Part 936**

**[SPATS No. OK-015-FOR]**

**Oklahoma Abandoned Mine Land Reclamation Plan Amendment**

**AGENCY:** Office of Surface Mining Reclamation and Enforcement (OSM), Interior.

**ACTION:** Proposed Rule; Reopening and Extension of Public Comment Period on Proposed Amendment.

**SUMMARY:** OSM is announcing receipt of additional revisions pertaining to a previously proposed amendment to the Oklahoma abandoned mine land reclamation plan (hereinafter referred to as the "Oklahoma plan") under the Surface Mining Control and Reclamation Act of 1977 (SMCRA), as amended by the Abandoned Mine Reclamation Act of 1990. The additional revisions for Oklahoma's proposed plan amendment pertain to eligible lands and water. The amendment is intended to revise the Oklahoma plan to be consistent with the corresponding Federal regulations and SMCRA, as amended.

**DATES:** Written comments must be received by 4:00 p.m., c.d.t., April 23, 1996.

**ADDRESSES:** Written comments should be mailed or hand delivered to Jack R. Carson, Acting Director, Tulsa Field Office, at the address listed below.

Copies of the Oklahoma plan, the proposed amendment, and all written comments received in response to this document will be available for public review at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. Each requester may receive one free

copy of the proposed amendment by contacting OSM's Tulsa Field Office.

Jack R. Carson, Acting Director, Tulsa Field Office, Office of Surface Mining Reclamation and Enforcement, 5100 East Skelly Drive, Suite 470, Tulsa, Oklahoma 74135-6547, Telephone: (918) 581-6430.

Oklahoma Conservation Commission, 2800 N. Lincoln Blvd., Suite 160, Oklahoma City, Oklahoma 73105-4210, Telephone: (405) 521-2384.

**FOR FURTHER INFORMATION CONTACT:** Jack R. Carson, Acting Director, Tulsa Field Office, Telephone: (918) 581-6430.

#### I. Background on the Oklahoma Plan

On January 21, 1982, the Secretary of the Interior approved the Oklahoma plan. Background information on the Oklahoma plan, including the Secretary's findings, the disposition of comments, and the approval of the plan can be found in the January 21, 1982, Federal Register (47 FR 2989). Subsequent actions concerning Oklahoma's plan and amendments to the plan can be found at 30 CFR 936.25.

#### II. Discussion of the Proposed Amendment

By letter dated November 13, 1995 (Administrative Record No. OAML-63), Oklahoma submitted a proposed amendment to its plan pursuant to SMCRA, as amended. Oklahoma submitted the proposed amendment in response to a September 26, 1994, letter (Administrative Record No. OAML-65) that OSM sent to Oklahoma in accordance with 30 CFR 884.15(d). Oklahoma proposed revision of the Oklahoma administrative rules at OAC 155:15, Oklahoma Abandoned Mine Land Program, and the Oklahoma plan at sections 884.13(c)(1), Goals and Objectives; 884.13(c)(2), Project Ranking and Selection; 884.13(c)(3), Interagency Coordination; 884.13(c)(5), Eligible Lands and Waters; 884.13(c)(7), Public Participation; and 884.13(d)(1), Administrative and Management Structure.

OSM announced receipt of the proposed amendment in the December 21, 1995, Federal Register (60 FR 66244) and invited public comment on its adequacy. The public comment period ended January 22, 1996.

During its review of the amendment, OSM identified concerns relating to Oklahoma's proposal to revise the administrative regulations at OAC 155.15-1-5, Eligible Lands and Water, and the Oklahoma plan at section 884.13(c)(5), Eligible Lands and Water. These revisions were intended to allow expenditure of funds for reclamation of

certain lands and water affected by mining after August 3, 1977, the effective date of SMCRA. OSM notified Oklahoma of the concerns by telephone on March 15, 1996, and by telefax on March 19, 1996 (Administrative Record Nos. OAML-71 and OAML-72). Oklahoma responded in a letter dated March 21, 1996, by submitting revisions to its amendment (Administrative Record No. OAML-69).

Oklahoma proposes additional revisions to the Oklahoma plan at section 884.13(c)(5), Eligible Lands and Water.

A new provision is added at subsection 884.13(c)(5)(C). This provision performs the following functions:

- Prescribes that for post-August 3, 1977, sites, states may expand funds available under SMCRA 402(g)(1) and (5) (state share and historic coal distribution);
- Requires the State to make certain findings outlined in OAC 155:15-1-5(b,c,d); and
- Requires that the State determine that the reclamation priority of a site be the same or more urgent than that of pre-August 4, 1977 sites.

A new provision is added at subsection 884.13(c)(5)(D) that requires the State to use any related financial recoveries from responsible parties for reclamation at the site, or to reimburse the Abandoned Mine Land Reclamation Fund.

The portions of the Oklahoma plan previously identified as subsections 884.13(c)(5)(C) and (D) are redesignated as 884.13(c)(5)(E) and (F).

#### III. Public Comment Procedures

OSM is reopening the comment period on the proposed Oklahoma plan amendment to provide the public an opportunity to reconsider the adequacy of the proposed amendment in light of the additional materials submitted. In accordance with the provisions of 30 CFR 884.14 and 884.15(a), OSM is seeking comments on whether the proposed amendment satisfies the applicable plan approval criteria of 30 CFR 884.14. If the amendment is deemed adequate, it will become part of the Oklahoma plan.

#### Written Comments

Written comments should be specific, pertain only to the issues proposed in this rulemaking, and include explanations in support of the commenter's recommendations. Comments received after the time indicated under DATES or at locations other than the Tulsa Field Office will not necessarily be considered in the

final rulemaking or included in the Administrative Record.

#### IV. Procedural Determinations

##### *Executive Order 12866*

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

##### *Executive Order 12778*

The Department of the Interior has conducted the reviews required by section 2 of Executive Order 12778 (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 abandoned mine land reclamation plans and revisions thereof since each such plan is drafted and promulgated by a specific State, not by OSM. Decisions on proposed State abandoned mine land reclamation plans and revisions thereof submitted by a State are based on a determination of whether the submittal meets the requirements of Title IV of SMCRA (30 U.S.C. 1231-1243) and 30 CFR Parts 884 and 888.

##### *National Environmental Policy Act*

No environmental impact statement is required for this rule since agency decisions on proposed State abandoned mine land reclamation plans and revisions thereof are categorically excluded from compliance with the National Environmental Policy Act (42 U.S.C. 4332) by the Manual of the Department of the Interior (516 DM 6, appendix 8, paragraph 8.4B(29)).

##### *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 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 established by SMCRA or 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 in the analyses for the corresponding Federal regulations.

#### List of Subjects in 30 CFR Part 936

Intergovernmental relations, Surface mining, Underground mining.

Dated: April 12, 1996.

Brent Wahlquist,

*Regional Director, Mid-Continent Regional Coordinating Center.*

[FR Doc. 98-8628 Filed 4-5-96; 8:45 am]

BILLING CODE 4310-05-M

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD08-95-028]

RIN 2115-AE47

#### Drawbridge Operation Regulation; Red River, LA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

**SUMMARY:** At the request of the Kansas City Southern Railway Company and the Southern Pacific Transportation Company, the Coast Guard is proposing a change to the regulation governing the operation of two swing span railroad bridges over the Red River, miles 227.0 and 228.2, near Shreveport, Louisiana. This proposed change would require that the bridges be opened on signal for passage of vessels, Monday through Friday, during daylight hours only, with five days prior written notice. The draws presently open on signal with 48 hours advance notice.

**DATES:** Comments must be received on or before June 7, 1996.

**ADDRESSES:** Comments may be mailed to Commander (ob), Eighth Coast Guard District, 510 Magazine Street, New Orleans, Louisiana 70130-3396 or may be delivered to Room 1313 at the same address between 8 a.m. and 3:30 p.m., Monday through Friday except Federal holidays. The comments and other materials referenced in this notice will be available for inspection and copying in Room 1313 at this address. Normal office hours are between 8 a.m. and 3:30 p.m., Monday through Friday, except holidays.

**FOR FURTHER INFORMATION CONTACT:**

Mr. Phil Johnson, Bridge Administration Branch, (504) 589-2965.

#### SUPPLEMENTARY INFORMATION:

##### Request for Comments

Interested parties are invited to participate in the rulemaking by submitting written views, comments, or arguments. Persons submitting comments should include their names and addresses, identify the bridge and give the reason for concurrence with or any recommended change in this proposal. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Mr. Phil Johnson at the address 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.

The Commander, Eighth Coast Guard District, will evaluate all communications received and determine a course of final action on this proposal. The proposed regulation may be changed in light of comments received.

**Background and Purpose:** Upon requests by the bridge owners, the Coast Guard is proposing permitting the draws of two swing span railroad bridges over the Red River, LA, miles 227.0 and 228.2 to open on signal, Monday through Friday and only during daylight hours, if at least five days prior written notice is given. Currently, the bridges are required to open on signal if at least 48 hours advance notice is given. The bridge owners contend that the present regulation is unreasonable and expensive. Vessel transits through the bridge sites are infrequent. Since shoaling makes transits hazardous, openings will be limited to daylight hours for safety reasons.

##### Discussion of Proposed rules

Vertical clearance of the Southern Railroad bridge at mile 227.0 in the closed position is 15 feet above mean high water and 50 feet above low water. Vertical clearance of the Kansas City Southern Railway Company bridge at mile 228.2 in the closed position is 5 feet above mean high water and 46 feet above mean low water. There is little commercial navigation on the waterway in the vicinity of the bridge crossing. The bridges were opened seven times for the passage of riverboat gaming vessels in the past two years. The occasional small recreational boat that

uses the waterway can transit the bridges without requiring an opening. The Southern Pacific Railroad bridge at mile 227.0 is crossed by approximately 11 trains per day. The Kansas City Southern Railroad bridge at mile 228.2 is crossed by approximately 12 trains per day. Requiring five days advance notice for an opening of the draw would result in a significant savings in maintenance and crew call-out costs with no adverse effect on navigational traffic.

Shoaling is reported to exist throughout the Shreveport area where the bridges cross the Red River making transits hazardous. The Southern Pacific Railroad bridge at mile 227.0 was struck two times by gaming vessels transiting the bridge in 1994. Requiring the bridges to open only during daylight hours will contribute to safety.

##### Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential cost 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 proposal 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 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) government jurisdictions with populations of less than 50,000.

Since the proposed rule also considers the needs of local commercial vessels, the economic impact is expected to be minimal. Therefore, 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