

Federal Register on February 6, 1997 (62 FR 5554).

DATES: The public hearings are scheduled to be held at the following locations on the dates indicated:

May 6, 1997—Beaver, West Virginia (Beckley)

May 8, 1997—St. Louis, Missouri

May 13, 1997—Denver, Colorado

May 15, 1997—Las Vegas, Nevada

May 28, 1997—Atlanta, Georgia

May 30, 1997—Washington, DC

Each hearing will last from 9:00 a.m. to 5:00 p.m., but will continue into the evening if necessary.

The record will remain open after the hearings until June 20, 1997.

ADDRESSES: The hearings will be held at the following locations:

May 6, 1997, National Mine Health & Safety Academy, Auditorium, 1301 Airport Road, Beaver, West Virginia (Beckley) 25813.

May 8, 1997, Harley Hotel, North Ballroom, 3400 Rider Trail South, St. Louis, Missouri 63134.

May 13, 1997, Four Points Sheraton Hotel, Mount Evans Room, 3535 Quebec Street, Denver, Colorado 80207.

May 15, 1997, Bourbon Street Hotel, 120 E. Flamingo Road, Las Vegas, Nevada 89109.

May 28, 1997, Holiday Inn Airport, 5010 Old National Highway, Atlanta, Georgia 30349.

May 30, 1997, Department of Labor, Frances Perkins Building, Auditorium, 200 Constitution Avenue, NW., Washington, DC 20210.

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

SUPPLEMENTARY INFORMATION: On December 17, 1996, MSHA published in the Federal Register (61 FR 66348) a proposed rule to revise the Agency's existing health standards for occupational noise. On February 6, 1997, MSHA published in the Federal Register (62 FR 5554) a notice extending the comment period to April 21, 1997. In that same notice, the Agency announced public hearings and stated that the rulemaking record will close on June 16, 1997.

Due to a scheduling conflict, MSHA is changing the dates of the Atlanta, Georgia and Washington, DC hearings. The Agency has learned that the American Industrial Hygiene Association (AIHA) and the American Conference of Governmental Industrial Hygienists (ACGIH) will be holding their joint annual "Conference and Exposition" the week of May 17-23,

1997. MSHA believes that many members of the AIHA and ACGIH will be interested in attending the Agency's hearings on occupational noise exposure, including several members of the Agency's staff working on the noise proposal. Therefore, the Agency has changed the hearing for Atlanta, Georgia to May 28, 1997, and the hearing for Washington, DC to May 30, 1997. To allow for the submission of posthearing comments, the record would remain open until June 20, 1997.

Dated: February 24, 1997.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 97-5073 Filed 2-28-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 100

[CGD07-97-005]

RIN 2115-AE46

Special Local Regulations; Charleston to Bermuda Sailboat Race, Charleston, SC

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish temporary special local regulations for the Charleston to Bermuda Sailboat Race. The race would start on May 11, 1997, between the hours of 11 a.m. and 3 p.m. Eastern Daylight Time (EDT) near Waterfront Park on the Charleston Peninsula, and would transit out to sea by the South, Mount Pleasant, and Fort Sumter Ranges in Charleston Harbor. The nature of the event and the closure of portions of Charleston Harbor creates an extra or unusual hazard on the navigable waters of Charleston Harbor, Charleston, SC. These regulations are necessary for the safety of life on the navigable waters during the event.

DATES: Comments must be received on or before April 2, 1997.

ADDRESSES: Comments may be mailed to Commander, U.S. Coast Guard Group Charleston, 196 Tradd Street, Charleston, SC 29401, or may be delivered to the Operations Office at the same address between 7:30 a.m. and 3:30 p.m. Monday through Friday, except federal holidays. The telephone number is (803) 724-7621.

FOR FURTHER INFORMATION CONTACT: ENS M.J. DaPonte, Project Manager, Coast

Guard Group Charleston, SC at (803) 724-7621.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their name and address, identify this rulemaking (CGD07-97-005) and the specific section of this proposal to which each comment applies, and give a reason for each comment. Persons desiring 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 the view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Project Manager at the address under **ADDRESSES**. If it is determined that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at the time and place announced by a later notice in the Federal Register.

Background and Purpose

The proposed regulations are needed to provide for the safety of life during the start of the Charleston to Bermuda Sailboat Race. These proposed regulations are intended to promote safe navigation in Charleston Harbor immediately before, during, and immediately after the start of the race by controlling the traffic entering, exiting, and traveling within the regulated area. The anticipated concentration of commercial traffic, spectator vessels, and participating vessels associated with the race poses a safety concern which is addressed in these proposed special local regulations.

The proposed regulations would not permit the entry or movement of spectator vessels and other non-participating vessel traffic between the starting area at the southern end of Commercial Anchorage Area D (33 CFR 110.173), and the entrance to the Charleston Harbor jetties on Saturday, May 11, 1997, from 10 a.m. to 3 p.m. EDT. These proposed regulations would permit the movement of spectator vessels and other non-participants within the regulated area before the start of the race, and after the last participant clears the Charleston Harbor jetties at the discretion of the Coast Guard Patrol Commander.

Regulatory Evaluation

This proposal is not a major 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. The proposed regulations would last for only 5 hours on May 11, 1997.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal 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).

The Coast Guard expects the economic impact of this proposal to be minimal, and certifies under 5 U.S.C. 605(b) that this proposal, if adopted, would not have a significant impact on a substantial number of small entities. The regulated area would be in effect for only 5 hours in a limited area of Charleston harbor.

Collection of Information

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

Federalism

The Coast Guard has analyzed this proposal in accordance with the principals and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard has reviewed this action and it has been determined to be categorically excluded from further environmental documentation in accordance with section 2.B.2(34)(h) of Commandant Instruction M16475.1B. A written Categorical Exclusion

Determination will be prepared and included as part of the final rule.

List of Subjects in 33 CFR Part 1009

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

Proposed Regulations

In consideration of the foregoing, the Coast Guard proposes to amend 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.

2. A new section 100.725 is added to read as follows:

§ 100.725 Charleston to Bermuda Sailboat Race; Charleston Harbor, Charleston, SC.

(a) Definitions:

(1) Regulated area. The regulated area includes all waters of Charleston Harbor, Charleston, SC and the Atlantic Ocean within the following points:

Point	Latitude	Longitude
A	32°47'06" N.	079°55'25" W, then to
B	32°47'06" N.	079°55'05" W, then to
C	32°46'00" N.	079°55'00" W, then to
D	32°45'41" N.	079°54'37" W, then to
E	32°45'41" N.	079°51'54" W, then to
F	32°44'30" N.	079°50'35" W, then to
G	32°43'24" N.	079°48'16" W, then to
H	32°43'02" N.	079°48'30" W, then to
I	32°44'14" N.	079°50'51" W, then to
J	32°45'25" N.	079°52'04" W, then to
K	32°45'25" N.	079°55'00" W, then to
L	32°45'41" N.	079°55'22" W, thence back to point A.

All coordinates referenced use datum: NAD 83.

(2) Coast Guard Patrol Commander. The Coast Guard Patrol Commander is a commissioned, warrant, or petty officer of the Coast Guard who has been designated by the Commander, Coast Guard Group Charleston, SC.

(b) *Special local regulations.* (1) No person or vessel may enter, transit, or remain in the regulated area unless participating in the event or authorized by the Coast Guard Patrol Commander.

(2) The Coast Guard Patrol Commander may delay, modify, or

cancel the race as conditions or circumstances require. The Coast Guard Patrol Commander shall monitor the start of the race with the race committee, to allow for a window of opportunity for the race participants to depart the harbor with minimal interference with inbound or outbound commercial traffic.

(3) Spectator and other non-participating vessels may follow the participants out to sea while maintaining a minimum distance of 500 yards behind the last participant, at the discretion of the Patrol Commander. Upon the transit of the last race participant past the outermost boundary of the Charleston jetties, all vessels may resume normal operations.

(c) *Effective Date.* This section is effective at 10 a.m. and terminates at 3 p.m. EDT on May 11, 1997.

Dated: February 20, 1997.

J.W. Lockwood,
Rear Admiral, U.S. Coast Guard, Commander,
Seventh Coast Guard District.

[FR Doc. 97-5066 Filed 2-28-97; 8:45 am]

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33 CFR Part 117

[CGD08-96-056]

RIN 2115-AE47

Drawbridge Operation Regulation; Industrial Seaway Canal, MS

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is considering a change to the regulation governing the operation of the double leaf bascule span drawbridge on Lorraine-Cowan Road, across the Industrial Seaway Canal, mile 11.3, near Handsboro, Harrison County, Mississippi. Growing industry and commercial retail development in the area over the past few years has increased vehicular traffic on Lorraine-Cowan Road. As a result, traffic has become unreasonably delayed during bridge openings that occur when local residents are enroute to work and school. This change in drawbridge operating regulations would provide relief for congested vehicular traffic during these periods and still provide for the reasonable needs of navigation. Mariners would have the benefit of one less closure period of the bridge to marine traffic per day than occurs under present operating regulations.

DATES: Comments must be received on or before May 2, 1997.

ADDRESSES: Comments should be mailed to Commander (ob), Eighth Coast