

designate ETF Options for trading until 4:15 P.M. only where the underlying ETF is based on an index on which futures contracts trade.

The Phlx believes that the proposed rule change will bring its practices in line with current practice on the Chicago Board Options Exchange.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act¹⁰ in general, and in particular, with Section 6(b)(5),¹¹ in that it is designed to promote just and equitable principles of trade; to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities; to remove impediments to and perfect the mechanism of a free and open market and a national market system; and, in general, to protect investors and the public interest; and is not designed to permit unfair discrimination between customers, issuers, brokers or dealers. By adopting the proposed rule change, the Exchange should facilitate competition in the trading of ETF Options across markets.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not:

(i) significantly affect the protection of investors or the public interest;

(ii) impose any significant burden on competition; and

(iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act¹² and Rule 19b-4(f)(6) thereunder.¹³ At any time within 60 days of the filing of the proposed rule change, the Commission may summarily

abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

The Exchange has requested that the Commission accelerate the operative date. The Commission finds good cause to designate the proposal to be effective on filing with the Commission because such designation is consistent with the protection of investors and the public interest. The Commission believes that the proposal should be effective and operative immediately upon filing to help facilitate competition in the trading of ETF Options across markets. For these reasons, the Commission finds good cause to designate that the proposal is both effective and operative upon filing with the Commission.¹⁴

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to file number SR-Phlx-2001-119, and should be submitted by February 1, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁵

Margaret H. McFarland,

Deputy Secretary.

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¹⁴ For purposes only of accelerating the operative date of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. ¹⁵ U.S.C. 78c(f).

¹⁵ 17 CFR 200.30-3(a)(12).

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Federal Highway Administration

Environmental Impact Statement: City of Fairfax and Fairfax and Prince William Counties, Virginia

AGENCY: Federal Transit Administration and Federal Highway Administration, DOT.

ACTION: Notice of intent.

SUMMARY: The Federal Transit Administration (FTA) and Federal Highway Administration (FHWA) are jointly issuing this notice to advise the public of its intent to prepare an Environmental Impact Statement (EIS) in cooperation with the Virginia Department of Rail and Public Transportation (VDRPT) and Virginia Department of Transportation (VDOT) for potential transportation improvements in the Interstate 66 corridor in Fairfax and Prince William Counties to address projected increases in travel demand over the next twenty years. Three public scoping meetings have been scheduled and will be held from January 22-24, 2002, at 7 p.m. at the following locations as part of the preparation of the EIS:

January 22, 2002—Centreville High School, 6001 Union Mill Road, Clifton, Virginia 20124 (snow date: January 29);

January 23, 2002—Old Town Hall, 3999 University Drive, Fairfax, Virginia 22030 (snow date: January 30);

January 24, 2002—Stonewall Jackson Middle School, 10100 Lomond Drive, Manassas, Virginia 20109 (snow date: January 31);

One agency scoping meeting will be held on January 24, 2001, at 10:30 a.m. at the VDOT Northern Virginia District Office in Chantilly.

FOR FURTHER INFORMATION CONTACT: Edward Sundra, Senior Environmental Specialist, Federal Highway Administration, Post Office Box 10249, Richmond, Virginia 23240-0249, Telephone 804-775-3338; Patricia Mampf, Transportation Program Specialist, Federal Transit Administration, 1760 Market Street, Suite 500, Philadelphia, Pennsylvania 19103-4124, Telephone 215-656-7071; or Steve Suder, Senior Transportation Engineer, Virginia Department of Transportation—Northern Virginia District, 14685 Avion Parkway, Suite 345, Chantilly, Virginia 20151, Telephone 703-383-2217.

SUPPLEMENTARY INFORMATION: In late-1995 in accordance with 23 CFR

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6).

450.318, a Major Investment Study (MIS) was initiated for the Interstate 66 Corridor from Interstate 495 to Route 15 in Prince William County. The purpose of the MIS was to study this 24 mile-long section of the corridor to assess the need for the benefits and impacts of potential transportation improvements to accommodate projected travel demand growth over the next twenty years. The MIS, completed in 1999, identified a locally preferred investment strategy for the corridor which included adding general purpose lanes, and HOV lanes, extending Metrorail, adding transit centers/park and ride facilities, and increasing bus service in the study area. The recommendations included in the MIS were the result of a multi-level screening process in which numerous multi-modal transportation strategies were considered.

With this notice of intent, FTA and FHWA in cooperation with the VDRPT and VDOT are initiating the National Environmental Policy Act (NEPA) process to prepare an EIS for proposed improvements in the Interstate 66 corridor to address the need to improve transportation and to respond to projected growth and travel congestion. FTA and FHWA will serve as co-lead agencies in the development of the EIS. Section 4(f) of the Department of Transportation Act of 1966 may also be invoked as a result of the proposed transportation improvements. If this is the case, a Section 4(f) Evaluation will be prepared and included as part of the EIS.

The EIS will build upon the MIS by revisiting the purpose and need for the project and revising it, as necessary, to account for changes in regional needs or goals. Likewise, the development of strategies and the screening process from the MIS will be used as a starting point for the NEPA process. Recognizing the NEPA requires the consideration of a reasonable range of alternatives that will address the purpose and need, the EIS will include a range of alternatives for detailed study consisting of a no-build alternative as well as alternatives consisting of transportation system management strategies (including but not limited to increased bus service, development of transit centers and park and ride lots, and increased peak period Metrorail service), mass transit, and improvements to existing roadways (including the use of HOV lanes). These alternatives will be developed, screened, and carried forward for detailed analysis in the draft EIS based on their ability to address the purpose and need while avoiding, minimizing, and mitigating impacts to known and

sensitive resources to the extent practical.

Letters describing the NEPA study and soliciting input will be sent to the appropriate Federal, State and local agencies and to organizations and citizens who have expressed or are known to have an interest or legal role in this proposal. A series of scoping meeting will be held as part of the NEPA process to facilitate, local, state, and federal agency involvement and input into the project in an effort to identify all of the issues that need to be addressed in the EIS.

Private organizations, citizens, and interest groups will also have multiple opportunities to provide input into the development of the EIS and identify issues that should be addressed. A comprehensive public participation program will be developed to involve them in the project development process. This program will use the following outreach efforts to provide information and solicit input: the Internet, kiosks, a telephone hotline, e-mail, informal meetings, public information meetings, public hearings and other efforts, as necessary and appropriate. Notices of public meetings or public hearings will be given through various forums providing the time and place of the meeting along with other relevant information. The draft EIS will be available for public and agency review and comment prior to the public hearings.

To ensure that the full range of issues related to this proposed action are identified and considered, comments and suggestions in response to this Notice of Intent are invited from all interested parties. Comments and questions concerning the proposed action and draft EIS should be directed to FHWA, FTA or VDOT at the addresses provided above. There will be several opportunities to provide comments throughout the scoping process, but all comments in response to this notice should be submitted within 30 days of its publication.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction; 20.500, Federal Transit Administration Capital Grants. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this proposed action.)

Authority: 23 U.S.C. 315; 49 CFR 1.48

Issued on: January 4, 2002.

Susan E. Schruth,

Regional Administrator, Federal Transit Administration.

Edward S. Sundra,

Senior Environmental Specialist, Federal Highway Administration.

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DEPARTMENT OF TRANSPORTATION

Maritime Administration

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Maritime Administration, DOT.

ACTION: Notice and request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the information collection abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The nature of the information collection is described as well as its expected burden. The **Federal Register** notice with a 60-day comment period soliciting comments on the following information collection was published on November 2, 2001. No comments were received.

DATES: Comments must be submitted on or before February 11, 2002.

FOR FURTHER INFORMATION CONTACT:

Christopher Krusa, Maritime Administration, 400 Seventh Street, S.W., Washington, DC 20590. Telephone: 202 366-2648 or Fax: 202 493-2288. Copies of this collection can also be obtained from that office.

SUPPLEMENTARY INFORMATION:

Title: Supplementary Training Course Application.

OMB Control Number: 2133-0030.

Type of Request: Extension of currently approved collection.

Affected Public: U.S. merchant seamen, both officers and unlicensed personnel, and other U.S. citizens employed in other areas of waterborne commerce.

Form(s): MA-823.

Abstract: Section 1305(a) of the Maritime Education and Training Act of 1980 indicates that the Secretary of Transportation may provide maritime-related training to merchant mariners of the United States and to individuals preparing for a career in the merchant marine of the United States. Also, the U.S. Coast Guard requires a fire-fighting certificate for U.S. merchant marine