

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. Therefore, this proposed regulation—(1) is not a “significant regulatory action” under Executive Order 12866; (2) is not a “significant rule” under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this proposed rule will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, Airspace Designations and Reporting Points, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet or more above the surface of the earth.

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AGL OH E5 Freement, OH [Revised]

Fremont Airport, OH
(Lat. 41°20'03" N., long. 83°09'36" W.)
Sandusky County Regional Airport, OH
(Lat. 41°17'45" N., long. 83°02'14" W.)
Memorial Hospital of Sandusky County, OH
Point in Space Coordinates
(Lat. 41°20'18" N., long. 83°08'57" W.)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of the Fremont Airport, and within a 6.5-mile radius of the Sandusky County

Regional Airport, and within a 6.0-mile radius of the Point in Space serving Memorial Hospital of Sandusky County.

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Issued in Des Plaines, Illinois, on February 3, 1999.

David B. Johnson,

Acting Manager, Air Traffic Division.

[FR Doc. 99–3517 Filed 2–11–99; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

21 CFR Parts 1300 and 1310

[DEA Number 137E2]

RIN 1117–AA321

Exemption of Chemical Mixtures

AGENCY: Drug Enforcement Administration, Justice.

ACTION: Proposed rule; extension of comment period.

SUMMARY: The DEA is extending the comment period on the Federal Register notice of proposed rulemaking entitled “Exemption of Chemical Mixtures” published on September 16, 1998 (63 FR 49506). A previous publication in the **Federal Register** on November 12, 1998 (63 FR 63253) extended the original closing date for receipt of comments from November 16, 1999 to February 15, 1999. The DEA believes that an additional extension is necessary to ensure that all interested persons are granted ample time to resolve issues pertaining to these proposed regulations.

DATES: The period for public comment that was to close on February 15, 1999 is extended to April 16, 1999.

ADDRESSES: Comments and objections should be submitted in quintuplicate to the Deputy Administrator, Drug Enforcement Administration, Washington, DC 20537, Attention: DEA Federal Register Representative/CCR.

FOR FURTHER INFORMATION CONTACT: Frank Sapienza, Chief, Drug and Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307–7183.

SUPPLEMENTARY INFORMATION: The DEA published a notice of proposed rulemaking (63 FR 49506) to implement those portions of the Domestic Chemical Division Control Act of 1993 [Pub. L. 103–200] that exempt from regulation under the Controlled Substances Act certain chemical mixtures that contain regulated chemicals. The proposed

regulations identified those mixtures, or categories of mixtures, that will be automatically exempt from regulation and defined an application process that can be used to exempt chemical mixtures that do not meet the criteria for automatic exemption. The DEA issued a ninety day extension to the period for public comment based on a formal request by Hyman, Phelps & McNamara, P.C. The DEA believes that an additional sixty day extension is now necessary. This additional extension is deemed necessary to assure that interested persons are afforded reasonable time to address issues of concern and allow all persons to respond accordingly. Therefore, the comment period for the proposed rule is extended to April 16, 1999. Comments must be received by the DEA on or before this date.

Dated: February 8, 1999.

Donnie R. Marshall,

Deputy Administrator, Drug Enforcement Administration.

[FR Doc. 99–3442 Filed 2–11–99; 8:45 am]

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DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 57, 72 and 75

RIN 1219–AA74; 1219–AB11

Diesel Particulate Matter Exposure of Underground Coal and Metal and Nonmetal Miners

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

ACTION: Proposed rules; extension of comment periods; availability of studies; notice of hearings; close of record.

SUMMARY: The Mine Safety and Health Administration (MSHA) is announcing the extension of the public comment periods on its proposed rules addressing diesel particulate matter exposure of underground coal miners as published in the **Federal Register** on April 9, 1998, and for underground metal and nonmetal miners published on October 29, 1998.

This document also announces the availability of three additional studies applicable to both rulemakings addressing diesel particulate matter exposure of underground coal and underground metal and nonmetal miners. These studies supplement the evidence in both rulemaking records regarding the risks to underground miners of serious health hazards

associated with exposure to high concentrations of diesel particulate matter. The Agency, therefore, intends to include these studies in both rulemaking records and make them available to interested parties upon request. These studies do not change the Agency's proposed findings.

The Agency is also announcing that it will hold public hearings on its proposed rule addressing diesel particulate matter exposure in underground metal and nonmetal mines in the following locations: Salt Lake City, Utah; Albuquerque, New Mexico; St. Louis, Missouri; and Knoxville, Tennessee.

DATES: Written comments on the three studies and on both proposed rules must be submitted on or before April 30, 1999.

The hearing dates, times and specific locations will be announced by a separate notice in the **Federal Register**. The rulemaking record for the metal and nonmetal proposed rule will remain open 60 days after the last public hearing.

ADDRESSES: Copies of the three studies are available to interested members of the public and may be obtained from the Office of Standards, Regulations and Variances, 703-235-1910.

Comments on the proposed rules may be transmitted by electronic mail, fax, or mail. Comments by electronic mail must be clearly identified as such and sent to this E-mail address:

comments@msha.gov. Comments by fax must be clearly identified as such and sent to: MSHA, Office of Standards, Regulations, and Variances, 703-235-5551. Send mail comments to: MSHA, Office of Standards, Regulations, and Variances, Room 631, 4015 Wilson Boulevard, Arlington, VA 22203-1984. Interested persons are encouraged to supplement written comments with computer files or disks; please contact the Agency with any questions about format.

FOR FURTHER INFORMATION CONTACT: Carol J. Jones, Acting Director; Office of Standards, Regulations, and Variances; MSHA; 703-235-1910.

SUPPLEMENTARY INFORMATION: On April 9, 1998 (63 FR 17492) and October 29, 1998 (63 FR 58104), MSHA published proposed rules to reduce the risks to underground coal and metal and nonmetal miners, respectively, of serious health hazards that are associated with exposure to high concentrations of diesel particulate matter (dpm). DPM is a very small particle in diesel exhaust. Underground miners are exposed to far higher

concentrations of this fine particulate than any other group of workers.

A. Cumulative Evidence

In its proposals, MSHA stated that the best available evidence indicates that such high exposures put these miners at excess risk of a variety of adverse health effects, including lung cancer. There is clear evidence that exposure to high concentrations of dpm can result in a variety of serious health effects. These health effects include: (1) Sensory irritations and respiratory symptoms serious enough to distract or disable miners; (2) death from cardiovascular, cardiopulmonary, or respiratory causes; and (3) lung cancer.

The Agency has reviewed cumulative evidence to support its findings that underground miners are at risk from exposure to dpm. MSHA intends to supplement the rulemaking records with the following studies:

(1) Christie, D.G., et al., "Mortality in the New South Wales Coal Industry, 1973-1992," *Medical Journal of Australia*, 163(1):19-21, July 3, 1995.

(2) Johnston, A.M., et al., "Investigation of the Possible Association Between Exposure to Diesel Exhaust Particulates in British Coal Mines and Lung Cancer," *Institute of Occupational Medicine (IOM), Report TM/97/08*, (Edinburgh, Scotland), November 1997.

(3) Steenland, Kyle, et al., "Diesel Exhaust and Lung Cancer in the Trucking Industry: Exposure-Response Analyses and Risk Assessment," *American Journal of Industrial Medicine*, 34:220-228, 1998.

These studies are available and may be obtained by contacting the Office of Standards, Regulations and Variances, 703-235-1910.

B. Diesel Particulate Matter Exposure of Underground Coal Miners

The post-hearing comment period for the proposed rule addressing diesel particulate matter exposure of underground coal miners was scheduled to close on February 16, 1999 (63 FR 55811). However, in response to requests from the public to extend the post-hearing comment period, and in order to give the public an opportunity to comment on the three studies, the record for the coal proposed rule will remain open until April 30, 1999. This provides a total of 12 months from date of publication for the public to comment on the proposed rule.

C. Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners

The comment period for the proposed rule addressing diesel particulate matter exposure of underground metal and nonmetal miners was scheduled to close

on February 26, 1999 (63 FR 58104). The Agency has received several requests from the public for additional time to prepare their comments on the proposed rule. Since the Agency also intends to supplement the rulemaking record with three new studies, the public comment period will be extended until April 30, 1999.

MSHA believes that extension of the comment periods for both rulemakings will provide sufficient time for all interested parties to review the studies and the proposed rules, and submit comments. All interested members of the mining community are encouraged to submit comments prior to April 30, 1999.

D. Public Hearings

MSHA plans to hold public hearings on the proposed rule addressing diesel particulate matter exposure of underground metal and nonmetal miners. The hearings will be held in Salt Lake City, Utah; Albuquerque, New Mexico; St. Louis, Missouri; and Knoxville, Tennessee. The hearing dates, times, and specific locations will be announced by a separate document in the **Federal Register**. The hearings will be held under Section 101 of the Federal Mine Safety and Health Act of 1977.

Dated: February 9, 1999.

Marvin W. Nichols, Jr.,
Deputy Assistant Secretary
for Mine Safety and Health.

[FR Doc. 99-3474 Filed 2-11-99; 8:45 am]

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DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 943

[SPATS No. TX-045-FOR]

Texas Regulatory Program

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

ACTION: Proposed rule; public comment period and opportunity for public hearing.

SUMMARY: OSM is announcing receipt of an amendment to the Texas regulatory program (Texas program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Texas proposes revisions to regulations concerning air pollution control plans; reclamation plans; general requirements; air resources protection; stabilization of surface areas; and coal