

categories of organizations may be submitted to the Regulations Division, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410. Communications should include the following reference: "PHA Plan interim rule (FR-4420); Public Forum."

**Future Notices**

Again, HUD will issue additional notices to provide the public with the locations of the third and fourth public forums.

Dated: April 21, 1999.

**Harold Lucas,**

*Assistant Secretary for Public and Indian Housing.*

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**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

**29 CFR Parts 1910, 1915, 1917, 1918, and 1926**

RIN 1218-AB33

**Powered Industrial Truck Operator Training; Correction to Final Rule**

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

**ACTION:** Final rule; correction.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) is clarifying that until employers come into compliance with the new Powered Industrial Truck Training Standard required by December 1, 1999, they must comply with the pre-existing standards for powered industrial truck operator training.

**DATES:** The effective date of this correction is April 27, 1999.

The effective date for the new Powered Industrial Truck Operator Training Standard published December 1, 1998 (63 FR 66238) is March 1, 1999.

**Compliance Dates:** The dates by which powered industrial truck operators must be trained and evaluated pursuant to the new standard are shown on the following table.

If the employee was hired	The initial training and evaluation of that employee must be completed
Before December 1, 1999.	By December 1, 1999.

If the employee was hired	The initial training and evaluation of that employee must be completed
After December 1, 1999.	Before the employee is assigned to operate a powered industrial truck.

Until operators are trained and evaluated pursuant to the new standard, employers must remain in compliance with the prior operator training standards: 29 CFR 1910.178(1) (1998) for general industry and shipyards; 29 CFR 1926.602(c)(1)(vi) (1998) for construction; 29 CFR 1917.27 (1998) for marine terminals; and 29 CFR 1918.98 (1998) for longshoring.

**FOR FURTHER INFORMATION CONTACT:**

Direct press inquiries to: Bonnie Friedman, Director, Office of Information and Consumer Affairs, Rm. N3637, OSHA, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, telephone (202) 693-1999, Fax (202) 693-1634. Direct technical inquiries to: Richard Sauger, Directorate of Safety Standards Programs, Rm. N3621, telephone (202) 693-2062, Fax (202) 693-1663 or Wil Epps, Directorate of Compliance Programs, Rm. N-3603, telephone (202) 693-1850, Fax (202) 693-1628 at the above address.

**SUPPLEMENTARY INFORMATION:** On December 1, 1998, OSHA published a final standard improving training requirements for powered industrial truck operators at 63 FR 66238-66274. That new standard applies to employees in general industry, shipyards, marine terminals, longshoring and construction. The new standard will replace existing more general training requirements in each of those industrial sectors. The new standard has an effective date of March 1, 1999, and a completion of initial training and evaluation date of December 1, 1999 for operators employed before December 1, 1999. Completion of initial training and evaluation of operators hired on or after December 1, 1999 shall be prior to being assigned to operate a truck.

OSHA's intention was that employers would remain in compliance with the old training standard while they commenced, on March 1, the phasing-in of compliance with the new training standard. That phase-in would be completed by Dec. 1, 1999 (63 FR 66261). An employer meeting the requirements of the new standard would clearly meet the requirements of the old standards.

**Need for Correction**

Some confusion has been indicated about the phase-in schedule and the employer's obligation between the effective date of the new standard and the completion of training and evaluation dates contained in that standard. To clarify this, OSHA is correcting the **DATES** paragraph of the **Federal Register** preamble.

This clarifies that employers must remain in compliance with the prior training standards through Nov. 30, 1999. They do not have to be in compliance with the new training standard until December 1, 1999 and will not be cited for violating the new standard prior to December 1, 1999.

However, because the new standard is more protective than the requirements of the prior powered industrial truck operator training standards, employers who choose to meet the requirements of the new standard prior to December 1, 1999 will not be cited under the prior standards. Most employers will probably wish to commence the phase-in of the training and evaluation required by the new standard prior to December 1, 1999 for organizational efficiency reasons. Because the new standard was published on December 1, 1998, employers will have had 1 year for the phase-in.

The pre-existing powered industrial truck operator training standard applicable to general industry and shipyards (by cross reference from 29 CFR (1910.5(c)(2)) is 29 CFR 1910.178(1) in the 1998 CFR volume, 29 CFR Part 1900 to § 1910.999 (Revised as of July 1, 1998). The pre-existing standard applicable to construction is 29 CFR 1926.602(c)(1)(vi), cross-referencing ANSI B.56.1-1969 in the CFR volume 29 CFR Part 1926 (Revised as of July 1, 1998), which is identical to the pre-existing general industry standard. The pre-existing training standard applicable to longshoring is 29 CFR 1918.98 and for marine terminals is 29 CFR 1917.27 in the CFR volume 29 CFR Parts 1911 and 1925 (Revised as of July 1, 1998). See the December 1, 1998 **Federal Register** preamble at 63 FR 66239 and the Longshoring and Marine Terminals Final Rule preamble at 62 FR 40142 (July 25, 1997) for a detailed discussion of pre-existing coverage. (The Longshoring Final Rule redesignated § 1918.97 as § 1918.98 and applies it to all longshoring activities.)

**Correction of Publication**

Accordingly in **Federal Register** Doc. 98-31283 published December 1, 1998 at 63 FR 66238, the "Compliance Dates" under the **DATES** section in the preamble

are corrected to read as set forth in the DATES section of this document.

Signed at Washington, D.C. this 21 day of April, 1999.

**Charles N. Jeffress,**

*Assistant Secretary of Labor.*

[FR Doc. 99-10560 Filed 4-26-99; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 100

[CGD07-99-024]

RIN 2115-AE46

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

AGENCY: Coast Guard, DOT.

ACTION: Temporary final rule.

**SUMMARY:** The Coast Guard is establishing temporary special local regulations for the Charleston to Bermuda Sailboat Race. The race will start on May 22, 1999, near Waterfront Park on the Charleston Peninsula, and will 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:** These regulations become effective at 10:30 a.m. and terminate at 3 p.m. EDT on May 22, 1999.

**FOR FURTHER INFORMATION CONTACT:** LTJG A.L. Cooper, Project Officer, Coast Guard Group Charleston at (843) 720-7748.

#### SUPPLEMENTARY INFORMATION:

##### Background and Purpose

These regulations are needed to provide for safety of life during the start of the Charleston to Bermuda Sailboat Race. The regulations are intended to promote safe navigation on 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 special local regulations.

The regulations prohibit the entry or movement of spectator vessels and other

non-anticipating 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 Sunday, May 22, 1999, from 10:30 a.m. to 3 p.m. EDT. These regulations allow for the movement of spectator vessels and other no-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.

In accordance with 5 U.S.C. 553, good cause exists for not publishing a notice of proposed rulemaking for this event, Publishing a NPRM and delaying its effective date would be contrary to national safety interests since immediate action is needed to minimize potential danger to the public as the date of the event was only recently finalized.

##### Regulatory Evaluation

This rule is not a 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 rule to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary. These regulations will last for only 4.5 hours.

##### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), The Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. "Small entities" include small businesses, not-for-profit organizations that are independently owned and operated and are not dominant in their field, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under section 605(b) that this rule will not have a significant effect upon a substantial number of small entities as the harbor will only be affected for 4 hours and the event has been very publicized.

##### Collection of Information

These regulations contain no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

##### Federalism

This action has been analyzed in accordance with the principals and criteria contained in Executive Order 12612 and it has been determined that this rulemaking does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

##### Environmental Assessment

The Coast Guard has considered the environmental impact of this action and has determined pursuant to Figure 2-1, paragraph (34)(h) of Commandant Instruction M16475.1C, that this action is categorically excluded from further environmental documentation.

##### List of Subjects in 33 CFR Part 100

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

##### Temporary Regulations:

In consideration of the foregoing, the Coast Guard amends 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 through 1236; 49 CFR 1.46; 33 CFR 100.35.

2. Temporary section 100.35T-07-024 is added to read as follows:

#### § 100.35T-07-024 Charleston to Bermuda Sailboat Race, Charleston Harbor, Charleston, SC.

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

- (1) 32°47'06" N., 079°55'25" W. thence to
- (2) 32°47'06" N., 079°55'05" W. thence to
- (3) 32°46'00" N., 079°55'00" W. thence to
- (4) 32°47'17" N., 079°53'19" W. thence to
- (5) 32°45'51" N., 079°53'23" W. thence to
- (6) 32°45'44" N., 079°53'12" W. thence to
- (7) 32°45'41" N., 079°51'54" W. thence to
- (8) 32°44'30" N., 079°50'35" W. thence to
- (9) 32°43'24" N., 079°48'16" W. thence to
- (10) 32°43'02" N., 079°48'30" W. thence to
- (11) 32°44'14" N., 079°50'51" W. thence to
- (12) 32°45'25" N., 079°52'04" W. thence to
- (13) 32°45'25" N., 079°55'00" W. thence to