

**List of Subjects in 30 CFR Part 948**

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 4, 1999.

**Allen D. Klein,**

*Regional Director, Appalachian Regional Coordinating Center.*

For the reasons set out in the preamble, Title 30, Chapter VII,

Subchapter T, of the Code of Federal Regulations is amended as set forth below:

**PART 948—WEST VIRGINIA**

1. The authority citation for part 948 continues to read as follows:

**Authority:** 30 U.S.C. 1201 *et seq.*

2. Section 948.15 is amended in the table by adding a new entry in chronological order by "Date of Final Publication" to read as follows:

**§ 948.15 Approval of West Virginia regulatory program amendments.**

\* \* \* \* \*

Original amendment submission date	Date of final publication	Citation/description
April 28, 1997	May 14, 1999	W.Va. Code 22-3 Section 13(c)(3) [not approved].

3. Section 948.16 is amended by adding new paragraph (iii) to read as follows:

**§ 948.16 Required regulatory program amendments.**

\* \* \* \* \*

(iii) By July 13, 1999, West Virginia must submit either a proposed amendment or a description of an amendment to be proposed, together with a timetable for adoption, to:

(1) Amend section 22-3-13(c)(3) of the West Virginia program to remove the phrase "or fish and wildlife habitat and recreation lands"; and

(2) Amend "public use" at section 22-3-13(c)(3) to include the term "facility" and to further clarify that the term will be interpreted the same as "public facility (including recreation facilities) use" at SMCRA section 515(c)(3).

[FR Doc. 99-12212 Filed 5-13-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 117**

[CGD 08-99-028]

**Drawbridge Operating Regulation; Gulf Intracoastal Waterway, LA**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of temporary deviation from regulations.

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation in 33 CFR 117.451(e) governing the operation of the SR 27 drawbridge across the Gulf Intracoastal Waterway, mile 243.8, west of Harvey Canal Locks, near Hackberry, Calcasieu Parish, Louisiana. This deviation allows the Louisiana Department of Transportation and Development to maintain the bridge

in the close-to-navigation position from 7 a.m. until 10 p.m. on Tuesday, June 1, 1999. This temporary deviation is issued to allow for the replacement of the emergency electrical-power supply. **DATES:** This deviation is effective from 7 a.m. until 10 p.m. on Tuesday, June 1, 1999.

**FOR FURTHER INFORMATION CONTACT:** Mr. David Frank, Bridge Administration Branch, Commander (ob), Eighth Coast Guard District, 501 Magazine Street, New Orleans, Louisiana, 70130-3396, telephone number 504-589-2965.

**SUPPLEMENTARY INFORMATION:** The SR 27 drawbridge across the Gulf Intracoastal Waterway, mile 243.8 west of Harvey Canal Locks, near Hackberry, Calcasieu Parish, Louisiana, has a vertical clearance of 50 feet above high water in the closet-to-navigation position. Navigation on the waterway consists of tugs with tows, fishing vessels, sailing vessels, and other recreational craft. The Louisiana Department of Transportation and Development requested a temporary deviation from the normal operation of the bridge in order to accommodate the replacement of the emergency electrical-power supply and is essential for the continued operation of the draw span.

This deviation allows the draw of the SR 27 bridge across the Gulf Intracoastal Waterway, mile 243.8 west of Harvey Canal Locks, near Hackberry to remain in the closed-to-navigation position from 7 a.m. until 10 p.m. on Tuesday, June 1, 1999. Presently, the draw opens on signal when more than 50 feet of vertical clearance is required, if at least four hours' notice is given to the Louisiana Department of Transportation and Development, District Maintenance Engineer, at Lake Charles, Louisiana.

Dated: May 7, 1999.

**A.L. Gerfin, Jr.,**

*Captain, U.S. Coast Guard, Acting Commander, 8th Coast Guard Dist.*

[FR Doc. 99-12273 Filed 5-13-99; 8:45 am]

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**DEPARTMENT OF TRANSPORTATION**

**Coast Guard**

**33 CFR Part 165**

[CGD01-99-048]

RIN 2115-AA97

**Safety Zone: Pepsi Gala Fireworks, New York Harbor, Upper Bay**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary safety zone for the Pepsi Gala Fireworks Display located in Federal Anchorage 20C, New York Harbor, Upper Bay. This action is intended to restrict vessel traffic in a portion of Federal Anchorage 20C; it is necessary to provide for the safety of life on navigable waters during the event.

**DATES:** This rule is effective from 9:30 p.m. until 11 p.m. on Saturday, May 15, 1999. There is no rain date for this event.

**ADDRESSES:** Documents as indicated in this preamble are available for inspection or copying at Coast Guard Activities New York, 212 Coast Guard Drive, room 205, Staten Island, New York 10305, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (718) 354-4193.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant J. Lopez, Waterways Oversight Branch, Coast Guard Activities New York (718) 354-4193.

**SUPPLEMENTARY INFORMATION:**

**Regulatory History**

Pursuant to 5 U.S.C. 553, no notice of proposed rulemaking (NPRM) was published for this regulation. Good cause exists for not publishing an NPRM and for making this regulation effective less than 30 days after publication in the **Federal Register**. Because of the date