

under the criteria of the Regulatory Flexibility Act. A copy of the draft regulatory evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption **ADDRESSES**.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Safety.

The Proposed Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration proposes to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by adding a new airworthiness directive to read as follows:

Eurocopter France: Docket No. 98-SW-59-AD.

Applicability: Model AS332C, L, and L1 helicopters, certificated in any category.

Note 1: This AD applies to each helicopter identified in the preceding applicability provision, regardless of whether it has been otherwise modified, altered, or repaired in the area subject to the requirements of this AD. For helicopters that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (b) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required within 300 hours time-in-service (TIS) or within the next 3 calendar months, whichever occurs first, unless accomplished previously.

To prevent loss of electrical continuity, which could cause loss of critical systems, and subsequent loss of control of the helicopter, accomplish the following:

(a) Remove and replace each "CONNECTRAL" green electrical module that does not have a white dot on the face and that has a manufacturing code 95/16 through 96/21 engraved on a side, with an airworthy electrical module. Those manufacturing codes identify modules manufactured between the beginning of the 16th week of 1995 and the end of the 21st week of 1996.

Note 2: Eurocopter France Service Bulletin No. 01.00.51, dated May 4, 1998, pertains to the subject of this AD.

(b) An alternative method of compliance or adjustment of the compliance time that provides an acceptable level of safety may be used if approved by the Manager, Rotorcraft Certification Office, Rotorcraft Directorate, FAA. Operators shall submit their requests through an FAA Principal Maintenance Inspector, who may concur or comment and then send it to the Manager, Rotorcraft Certification Office.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Rotorcraft Certification Office.

(c) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the helicopter to a location where the requirements of this AD can be accomplished.

Note 4: The subject of this AD is addressed in Direction Generale De L'Aviation Civile (France) AD No. 98-254-070(A), dated July 1, 1998.

Issued in Fort Worth, Texas, on May 12, 1999.

Eric Bries,

Acting Manager, Rotorcraft Directorate, Aircraft Certification Service.

[FR Doc. 99-12688 Filed 5-19-99; 8:45 am]

BILLING CODE 4910-13-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

15 CFR Part 922

Regulation of the Operation of Motorized Personal Watercraft in the Gulf of the Farallones National Marine Sanctuary

AGENCY: Marine Sanctuaries Division (MSD), Office of Ocean and Coastal Resource Management (OCRM), National Ocean Service (NOS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce.

ACTION: Public meeting and extension of comment period.

SUMMARY: On April 23, 1999, NOAA published a proposed rule and notice of availability of a Draft Environmental Assessment (DEA) restricting the use of motorized personal watercraft in the Gulf of the Farallones National Marine Sanctuary (FR Volume 64, Number 78, pages 19945-19952). The document announces the time and place of the public meeting and extends the comment period.

DATES: The public meeting will be held on Wednesday, June 2, 1999, from 7:00 until 9:00 p.m.

Comments on the proposed rule or DEA must be received by June 11, 1999.

ADDRESSES: The meeting will be held at the Bear Valley Visitors Center at the Point Reyes National Seashore, Inverness, California.

Comments should be sent to Ed Ueber, Sanctuary Manager, Gulf of the Farallones National Marine Sanctuary, Ft. Mason, Building 201, San Francisco, California 94123; fax: (415) 561-6616; email: ed.ueber@noaa.gov. Comments received will be available for public inspection at the above address.

FOR FURTHER INFORMATION CONTACT: Ed Ueber at (415) 561-6622.

SUPPLEMENTARY INFORMATION: The purpose of the public meeting is to provide the public with information regarding NOAA's proposed rule and to give the public the opportunity to provide NOAA with verbal or written comments.

NOAA proposes to amend the regulations governing the Gulf of the Farallones National Marine Sanctuary (Sanctuary) to prohibit the operation of motorized personal watercraft (MPWC) in the nearshore waters of the Sanctuary. Specifically, the operation of MPWC would be prohibited from the mean high-tide line seaward to 1,000 yards (approximately 0.5 nautical mile), including seaward of the Farallon Islands. The proposed rule would ensure that Sanctuary resources and qualities are not adversely impacted and would help avoid conflicts among various users of the Sanctuary.

Federal Domestic Assistance Catalog Number 11.429

Marine Sanctuary Program

Dated: May 14, 1999.

Ted Lillestolen,

Deputy Assistant Administrator, Ocean Services and Coastal Zone Management.

[FR Doc. 99-12711 Filed 5-19-99; 8:45 am]

BILLING CODE 3510-08-M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 914

[SPATS No. IN-129-FOR; State Program Amendment No. 98-2]

Indiana Regulatory Program

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

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

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing receipt of a proposed amendment to the Indiana regulatory program (Indiana program) under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). Indiana proposes revisions to its rules concerning permitting, collateral bonds, performance bond release, and citizen's request for state inspections. The revisions mostly relate to public participation and administrative requirements. Indiana intends to revise its program to be consistent with the corresponding Federal regulations.

This document gives the times and locations that the Indiana program and amendment to that program are available for your inspection, the comment period during which you may submit written comments on the amendment, and the procedures that we will follow for the public hearing, if one is requested.

DATES: We will accept written comments until 4:00 p.m., e.s.t., June 21, 1999. If requested, we will hold a public hearing on the amendment on June 14, 1999. We will accept requests to speak at the hearing until 4:00 p.m., e.s.t. on June 4, 1999.

ADDRESSES: You should mail or hand deliver written comments and requests to speak at the hearing to Andrew R. Gilmore, Director, Indianapolis Field Office, at the address listed below.

You may review copies of the Indiana program, the amendment, a listing of any scheduled public hearings, and all written comments received in response to this document at the addresses listed below during normal business hours, Monday through Friday, excluding holidays. You may receive one free copy of the amendment by contacting OSM's Indianapolis Field Office.

Andrew R. Gilmore, Director, Indianapolis Field Office, Office of Surface Mining Reclamation and Enforcement, Minton-Capehart Federal Building, 575 North Pennsylvania Street, Room 301, Indianapolis, IN 46204, Telephone: (317) 226-6700.

Indiana Department of Natural Resources, Bureau of Mine Reclamation, 402 West Washington Street, Room W-295, Indianapolis, Indiana 46204, Telephone: (317) 232-1291.

Indiana Department of Natural Resources, Division of Reclamation, R.R. 2, Box 129, Jasonville, Indiana 47438-9517, Telephone: (812) 665-2207.

FOR FURTHER INFORMATION CONTACT: Andrew R. Gilmore, Director, Indianapolis Field Office. Telephone: (317) 226-6700. Internet: INFOMAIL@indgw.osmre.gov.

SUPPLEMENTARY INFORMATION:

I. Background on the Indiana Program

On July 29, 1982, the Secretary of the Interior conditionally approved the Indiana program. You can find background information on the Indiana program, including the Secretary's findings, the disposition of comments, and the conditions of approval in the July 26, 1982, **Federal Register** (47 FR 32107). You can find later actions on the Indiana program at 30 CFR 914.10, 914.15, 914.16, and 914.17.

II. Description of the Proposed Amendment

By letter dated May 7, 1999 (Administrative Record No. IND-1647), the Indiana Department of Natural Resources (IDNR) sent us an amendment to the Indiana program under SMCRA. The IDNR sent the amendment at its own initiative. The IDNR proposes to amend the Indiana Administrative Code (IAC) at 310 IAC 12-3, 12-4, and 12-6. Below is a summary of the changes proposed by Indiana. The full text of the proposed program amendment is available for your inspection at the locations listed above under **ADDRESSES**.

1. 310 IAC 12-3-109 Permit Applications; Informal Conferences

Section 109 of the Indiana rules at 310 IAC 12-3 contains the administrative requirements and public participation aspects for informal conferences relating to permit applications.

a. The IDNR revised the first sentence of subsection (a) to read as follows:

Any person having an interest that is or may be adversely affected by the decision on the application or an officer or a head of a federal, state, or local government agency or authority may request, in writing, that the director hold an informal conference on the application for a permit, significant revision to the permit, or renewal of a permit.

b. The IDNR revised subsection (a)(3) to require a person requesting an informal conference to file the request with the director of IDNR no later than thirty (30) days after the last publication of the newspaper advertisement required under section 106(a) of this rule.

c. The IDNR revised subsection (b)(1) to require that the informal conference be held in the locality of the proposed surface coal mining and reclamation operation if requested under subsection (a)(2).

d. The IDNR revised subsection (b)(2) to require the director of IDNR to send the date, time, and location of the informal conference to the applicant and other parties to the conference. The director must also advertise this

information in a newspaper of general circulation in the locality of the proposed surface coal mining and reclamation operation at least two weeks before the scheduled conference.

e. The IDNR revised subsection (b)(3) to allow the director of IDNR to arrange with the applicant "access to the proposed permit area, and, to the extent that the applicant has the right to grant access to it, to the adjacent area prior to the established date of the conference."

f. The IDNR added the following new sentence to subsection (b)(4):

The requirements of IC 4-21.5-3 shall not apply to the conduct of the informal conference.

g. The IDNR revised subsection (c) to read as follows:

If all parties requesting the informal conference withdraw their request before the conference is held, the informal conference may be canceled.

h. The IDNR revised subsection (d) to read as follows:

Informal conferences held in accordance with this section may be used by the director as the public hearing required under 310 IAC 12-2-2(e) on proposed relocation or closing of public roads.

2. 310 IAC 12-3-114 Permit Applications; Permit Approval or Denial Actions

Section 114 of the Indiana rules at 310 IAC 12-3 contains the requirements relating to the actions the director of IDNR must take in approving or denying permit applications.

a. To comply with the formatting guidelines of the Indiana Legislative Services Agency and with recodification of the Indiana Code, the IDNR made citation reference changes in subsections (b)(1) and (b)(2). At subsection (b)(1), the IDNR replaced the existing reference to "subsection (b)(2)" with a reference to "subdivision (2)." At subsection (b)(2), the IDNR replaced the existing reference to "IC 13-4.1" with a reference to "IC 14-34."

b. The IDNR revised subsection (e)(1) to require the director of IDNR to give a copy of the permit application decision to the local OSM office.

3. 310 IAC 12-3-115 Permit Applications; Permit Terms

Section 115 of the Indiana rules at 310 IAC 12-3 contains requirements relating to permit terms. It requires the director of IDNR to issue all permits for a term not to exceed five years except under certain conditions. It also requires permittees to begin mining within three years of permit issuance except under certain conditions.

The IDNR revised subsection (b) by requiring permittees to submit a written

statement showing that an extension of time for commencement of operations is necessary.

4. 310 IAC 12-4-12 Collateral Bonds

Section 12 of the Indiana rules at 310 IAC 12-4 contains the conditions for using collateral bonds as performance bonds to guarantee reclamation of mined lands. The IDNR revised section 12 by adding new subsection (c) as follows:

Persons with an interest in collateral posted as bond, and who desire notification of actions pursuant to the bond, shall request the notification, in writing, to the director at the time the collateral is offered.

5. 310 IAC 12-4-16 Performance Bond Release

Section 16 of the Indiana rules at 310 IAC 12-4 contains requirements and conditions that a permittee must meet when filing a request for release of the performance bond or deposit used to guarantee reclamation of mined land.

a. To comply with the recodification of the Indiana Code, the IDNR made citation reference changes in subsections (c), (c)(2), and (c)(3)(A). The IDNR replaced the existing reference to "IC 13-4.1" with a reference to "IC 14-34."

b. The IDNR revised subsection (d) to read as follows:

If the director disapproves the application for release of the bond or portion thereof, the director shall notify the permittee, the surety, and any person with an interest in collateral as provided for in section 12 of this rule, in writing, stating the reason for disapproval and recommending corrective actions necessary to secure the release and allowing an opportunity for a public hearing.

6. 310 IAC 12-6-2 Citizen's Request for State Inspections

Section 2 of the Indiana rules at 310 IAC 12-6 contains requirements relating to inspections conducted as a result of information received from any person that gives the director of IDNR reason to believe that an operation is in violation.

a. At subsection (a), the IDNR replaced the citation references to "IC 13-4.1 and 310 IAC 12" with references to "IC 14-34 and this article."

b. The IDNR revised section 2 by adding new subsection (e) to read as follows:

The identify of any person supplying information to the director relating to a possible violation or imminent danger or harm shall remain confidential with the director, if requested by that person, unless: (1) that person elects to accompany the inspector on the inspection; or (2) disclosure is required under IC 5-14-3.

III. Public Comment Procedures

Under the provisions of 30 CFR 732.17(h), we are requesting comments on whether the amendment satisfies the applicable program approval criteria of 30 CFR 732.15. If we approve the amendment, it will become part of the Indiana program.

Written Comments

Your written comments should be specific and pertain only to the issues proposed in this rulemaking. You should explain the reason for any recommended change. In the final rulemaking, we will not necessarily consider or include in the Administrative Record any comments received after the time indicated under **DATES** or at locations other than the Indianapolis Field Office.

Public Hearing

If you wish to speak at the public hearing, contact the person listed under **FOR FURTHER INFORMATION CONTACT** by 4:00 p.m., e.s.t. on June 4, 1999. We will arrange the location and time of the hearing with those persons requesting the hearing. If you are disabled and need special accommodations to attend a public hearing, contact the individual listed under **FOR FURTHER INFORMATION CONTACT**. The hearing will not be held if no one requests an opportunity to speak at the public hearing.

You should file a written statement at the time you request the hearing. This will allow us to prepare responses and appropriate questions. The public hearing will continue on the specified date until all persons scheduled to speak have spoken. If you are in the audience and have not been scheduled to speak and wish to do so, you will be allowed to speak after those who have been scheduled. We will end the hearing after all persons scheduled to speak and persons present in the audience who wish to speak have spoken.

Public Meeting

If only one person requests an opportunity to speak at a hearing, a public meeting, rather than a public hearing, may be held. If you wish to meet with us to discuss the amendment, request a meeting by contacting the person listed under **FOR FURTHER INFORMATION CONTACT**. All such meetings are open to the public and, if possible, we will post notices of meetings at the locations listed under **ADDRESSES**. We also make a written summary of each meeting a part of the Administrative Record.

IV. Procedural Determinations

Executive Order 12866

The Office of Management and Budget (OMB) exempts this rule from review under Executive Order 12866 (Regulatory Planning and Review).

Executive Order 12988

The Department of the Interior conducted the reviews required by section 3 of Executive Order 12988 (Civil Justice Reform) and determined that, to the extent allowed by law, this rule meets the applicable standards of subsections (a) and (b) of that section. However, these standards are not applicable to the actual language of State regulatory programs and program amendments since each such program is drafted and promulgated by a specific State, not by OSM. Under sections 503 and 505 of SMCRA (30 U.S.C. 1253 and 1255) and 30 CFR 730.11, 732.15, and 732.17(h)(10), decisions on State regulatory programs and program amendments must be based solely on a determination of whether the submittal is consistent with SMCRA and its implementing Federal regulations and whether the other requirements of 30 CFR Parts 730, 731, and 732 have been met.

National Environmental Policy Act

This rule does not require an environmental impact statement since section 702(d) of SMCRA (30 U.S.C. 1292(d)) provides that agency decisions on State regulatory program provisions do not constitute major Federal actions within the meaning of section 102(2)(C) of the National Environmental Policy Act (42 U.S.C. 4332(2)(C)).

Paperwork Reduction Act

This rule does not contain information collection requirements that require approval by OMB under the Paperwork Reduction Act (44 U.S.C. 3507 *et seq.*).

Regulatory Flexibility Act

The Department of the Interior has determined that this rule will not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). The State submittal which is the subject of this rule is based upon corresponding Federal regulations for which an economic analysis was prepared and certification made that such regulations would not have a significant economic effect upon a substantial number of small entities. Therefore, this rule will ensure that existing requirements previously published by OSM will be implemented

by the State. In making the determination as to whether this rule would have a significant economic impact, the Department relied upon the data and assumptions for the corresponding Federal regulations.

Unfunded Mandates

OSM has determined and certifies under the Unfunded Mandates Reform Act (2 U.S.C. 1502 *et seq.*) that this rule will not impose a cost of \$100 million or more in any given year on local, state, or tribal governments or private entities.

List of Subjects in 30 CFR Part 914

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 13, 1999.

Brent Wahlquist,

Regional Director, Mid-Continent Regional Coordinating Center.

[FR Doc. 99-12645 Filed 5-19-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 110

[CGD07-99-023]

RIN 2115-AA98

Special Anchorage Areas; St. Johns River, Jacksonville, FL

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the Anchorage Regulations for the St. Johns River in Jacksonville, FL. The amendment will improve the safety of vessels anchoring within and transiting these anchorage areas by imposing additional notification and VHF-FM channel monitoring requirements.

DATES: Comments must be received on or before July 19, 1999.

ADDRESSES: Comments may be mailed to Commanding Officer Coast Guard Marine Safety Office Jacksonville, 7820 Arlington Expressway, Suite 400, Jacksonville, Florida 32211, or may be delivered to above address between 7:30 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (904) 232-2640. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: LT Zachary Pickett, Coast Guard Marine Safety Office Jacksonville, at (904) 232-2640, ext. 128.

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 names and addresses, identify this rulemaking [CGD07-99-023] and the specific section of this proposal to which each comment applies and give the reason for each comment.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentations will aid this rulemaking, it will hold a public hearing at a time and place announced by a notice in the **Federal Register**.

Background and Purpose

A natural working group established by the Jacksonville Waterways Management Council proposed additional safety requirements for vessels using Anchorage Areas A and B within the St. Johns River. The Captain of the Port agreed with the finding of the Council and has proposed regulations to improve the safety of vessels anchoring within and transiting the anchorage areas. The amended regulations will require all vessels intending to anchor to notify the Captain of the Port, and all anchoring vessels will be required to monitor Channels 13 and 16 VHF-FM at all times. Also, while in the anchorage area, all vessels transferring petroleum products and all vessels over 300 feet in length will be required to have a pilot or dock master on board and will be required to employ sufficient tugs to ensure safety.

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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and

procedures of DOT is unnecessary as these regulations will only economically effect approximately 30 vessels a year.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposed rule, if adopted will have a significant economic effect upon 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 fields, and governmental jurisdictions with populations of less than 50,000.

Therefore, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. *et seq.*) that this rule will not have a significant economic impact on a substantial number of small entities as the tug employment and pilot requirements will only effect approximately 30 vessels each year in the waters of the St. Johns River, and the other changes are only minor in nature.

If, however, you think that your business or organization qualifies as a small entity and that this proposed rule will have a significant economic impact on your business or organization, please submit a comment (see **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this proposed rule will economically affect it.

Collection of Information

This rule 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 rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this rule and concluded under Figure 2-1, paragraph 34(f) of Commandant Instruction M16475.1C, that this rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination has been completed and is available in the docket for inspection or copying.

List of Subjects in 33 CFR Part 110

Anchorage grounds.