

**DEPARTMENT OF THE INTERIOR**

**Office of Surface Mining Reclamation and Enforcement**

**30 CFR Part 925**

**Clarification of Substituted Federal Enforcement for Parts of Missouri's Permanent Regulatory Program and Findings on the Status of Missouri's Permanent Regulatory Program; Correction**

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

**ACTION:** Final rule; correction.

**SUMMARY:** This document contains corrections to the final rule published in the **Federal Register** on Thursday, April 15, 2004 (69 FR 19927). Three paragraphs were inadvertently removed from 30 CFR 925.18. This correction will restore the previously-published three paragraphs which list the minimum requirements that must be contained in Missouri's proposal to OSM to reassume full authority of Missouri's surface coal mining and reclamation program.

This rule is being made effective immediately in order to expedite the actions required of the State to resume full authority for its approved program.

**EFFECTIVE DATE:** May 26, 2004.

**FOR FURTHER INFORMATION CONTACT:** John W. Coleman, Mid-Continent Regional Coordinating Center, Office of Surface Mining, 501 Belle Street, Alton, Illinois 62002. Telephone: (618) 463-6460.

**SUPPLEMENTARY INFORMATION:**

**Background**

On August 4, 2003, OSM notified the Governor of Missouri that serious problems existed that were adversely affecting the Missouri Department of Natural Resources implementation and enforcement of the Missouri surface coal mining and reclamation program. In accordance with the provisions of 30 CFR 733.12(f), we announced our decision, effective August 22, 2003, to institute direct Federal enforcement for those portions of the Missouri program that the State could not adequately implement and enforce. With the substitution of Federal enforcement authority, we outlined a process by which Missouri could regain full authority for its program.

In the April 15, 2004, **Federal Register** (69 FR 19927), we further clarified our position regarding the portions of the Missouri program that we directly enforce and set forth our findings regarding the status of those

portions of Missouri's program for which we required remedial actions.

**Need for Correction**

As published, the amendatory language in the April 15, 2004, **Federal Register** notice inadvertently deleted existing regulatory text. This correction will restore that regulatory text which contains important information for the State to use when it submits its proposal to regain full authority to implement its regulatory program.

**List of Subjects in 30 CFR Part 925**

Intergovernmental relations, Surface mining, Underground mining.

Dated: May 12, 2004.

**Chad Calvert,**

*Acting Assistant Secretary, Land and Minerals Management.*

Accordingly, 30 CFR part 925 is amended by making the correcting revisions as set forth below.

**PART 925—MISSOURI**

- 1. The authority citation for part 925 continues to read as follows:

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

- 2. Section 925.18 is amended by adding paragraphs (c)(1), (c)(2), and (c)(3) to read as follows:

**§ 925.18 State remedial actions.**

\* \* \* \* \*

(c) \* \* \*

(1) *Funding.* The proposal must demonstrate to the satisfaction of OSM a commitment to fully fund the Missouri program.

(2) *Staffing.* The proposal must demonstrate to the satisfaction of OSM a commitment to hire a sufficient number of qualified personnel to comply with all inspection and enforcement, permitting, and bonding requirements of the approved Missouri program.

(3) *Adherence to approved program.* The proposal must include provisions, policy statements, and other affirmative evidence sufficient to assure OSM that the MLRP will be in full compliance at all times with the provisions of the Missouri program.

\* \* \* \* \*

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**DEPARTMENT OF HOMELAND SECURITY**

**Coast Guard**

**33 CFR Part 117**

[CGD08-04-021]

**Drawbridge Operation Regulations; Atchafalaya River; Melville, LA**

**AGENCY:** Coast Guard, DHS.

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

**SUMMARY:** The Commander, Eighth Coast Guard District, has issued a temporary deviation from the regulation governing the operation of the Melville Railroad Vertical Lift Bridge across the Atchafalaya River, mile 107.4, near Melville, St. Landry and Pointe Coupee Parishes, Louisiana. This deviation allows the bridge to remain closed to navigation for two (2) four-hour segments each day on Friday and Saturday, June 11-12, 2004. The deviation is necessary to repair and replace rails on the bridge.

**DATES:** This deviation is effective from 7 a.m. on Friday June 11, 2004, until 5 p.m. on Saturday June 12, 2004.

**ADDRESSES:** Materials referred to in this document are available for inspection or copying at the office of the Eighth Coast Guard District, Bridge Administration Branch, Hale Boggs Federal Building, room 1313, 500 Poydras Street, New Orleans, Louisiana 70130-3310 between 7 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (504) 589-2965. The Bridge Administration Branch of the Eighth Coast Guard District maintains the public docket for this temporary deviation.

**FOR FURTHER INFORMATION CONTACT:** David Frank, Bridge Administration Branch, telephone (504) 589-2965.

**SUPPLEMENTARY INFORMATION:** The Union Pacific Railroad has requested a temporary deviation in order to remove and replace rails on the Melville Railroad Vertical Lift Bridge across the Atchafalaya River, mile 107.4, near Melville, St. Landry and Pointe Coupee Parishes, Louisiana. The repairs are necessary to ensure the safety of the bridge. This temporary deviation will allow the bridge to remain in the closed-to-navigation position from 7 a.m. until 11 a.m. and from 1 p.m. until 5 p.m. on Friday, June 11, 2004, and Saturday, June 12, 2004.

The bridge has a vertical clearance of four feet above mean high water in the closed-to-navigation position and 54 feet above mean high water in the open-