DEPARTMENT OF LABOR

Mine Safety and Health Administration

30 CFR Parts 56, 57, 62, 70, and 71

Health Standards for Occupational Noise Exposure in Coal, Metal and Nonmetal Mines

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Proposed rule; Notice of preliminary determination of no significant environmental impact; request for comments; limited reopening of rulemaking record.

SUMMARY: This notice announces the preliminary determination by the Mine Safety and Health Administration (MSHA) that the proposed rule for occupational noise exposure in coal, metal and nonmetal mines will have no significant environmental impact. MSHA is reopening the rulemaking record for the limited purpose of receiving comment on its preliminary determination.

DATES: Submit written comments on or before June 25, 1998.

ADDRESSES: Comments 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: Mine Safety and Health Administration, Office of Standards, Regulations and Variances, 703–235–5551. Send mail comments to: Mine Safety and Health Administration, Office of Standards, Regulations and Variances, Room 631, 4015 Wilson Boulevard, Arlington, Virginia 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: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, 703–235–1910.

SUPPLEMENTARY INFORMATION: On December 17, 1996, MSHA published a proposed rule in the **Federal Register** (61 FR 66348) revising its health standards for occupational noise exposure in coal, metal and nonmetal mines. The Agency concluded that the existing rules are inadequate to prevent the occurrence of occupational noise-induced hearing loss among miners (NIHL).

The National Environmental Policy Act (NEPA) of 1969 (42 U.S.C. 4321 et. seq.), requires each Federal agency to consider the environmental effects of proposed actions and to prepare an Environmental Impact Statement on major actions significantly affecting the quality of the human environment. MSHA has reviewed the proposed standard in accordance with the requirements of the NEPA, the regulation of the Council on Environmental Quality (40 CFR Part 1500), and the Department of Labor's NEPA procedures (29 CFR Part 11). As a result of this review, MSHA has preliminarily determined that this proposed standard will have no significant environmental impact.

Commenters are encouraged to submit their comments on this determination on or before June 25, 1998.

Dated: May 19, 1998.

J. Davitt McAteer,

Assistant Secretary for Mine Safety and Health.

[FR Doc. 98–13895 Filed 5–22–98; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Parts 216, 223, 229, 231, 232, and 238

[FRA Docket No. PCSS–1, Notice No. 4]

RIN 2130–AA95

Passenger Equipment Safety Standards

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Notice of Entries in the Docket.

SUMMARY: FRA is issuing this notice to inform all interested parties that written comments and other documents specifically addressing issues related to the Notice of Proposed Rulemaking (NPRM) on Passenger Equipment Safety Standards have recently been placed in the public docket for the rulemaking. These recent entries in the docket are available for public examination.

ADDRESSES: The public docket for the rulemaking is available for examination during regular business hours in FRA's Office of Chief Counsel, Seventh Floor, 1120 Vermont Avenue, N.W., Washington, D.C. Written comments concerning the rulemaking should identify the docket number and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, 400 Seventh Street, S.W., Mail Stop 10, Washington, D.C. 20590.

FOR FURTHER INFORMATION CONTACT: Daniel Alpert, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., Mail Stop 10, Washington, D.C. 20590 (telephone: 202–632–3186); or Thomas Herrmann, Trial Attorney, Office of Chief Counsel, FRA, 400 Seventh Street, S.W., Mail Stop 10, Washington, D.C. 20590 (telephone: 202–632–3178).

SUPPLEMENTARY INFORMATION: On September 23, 1997, FRA published an NPRM on Passenger Equipment Safety Standards in the **Federal Register**. See 62 FR 49728. The proposed rule contained requirements concerning equipment design and performance criteria related to passenger and crew survivability in the event of a passenger train accident; the inspection, testing, and maintenance of passenger equipment; and the safe operation of passenger train service. The proposed rule was designed to address the safety of passenger train service in an environment where technology is advancing, and equipment is being designed for operation at higher speeds. The NPRM sought to amend existing regulations concerning special notice for repairs, safety glazing, locomotive safety, safety appliances, and railroad power brakes as applied to passenger equipment.

The NPRM stated that written comments on the rulemaking had to be received on or before November 24, 1997, and that written comments received after that date would be considered by FRA and the Passenger Equipment Safety Standards Working Group to the extent possible without incurring substantial additional expense or delay. The NPRM also stated that the docket would remain open until the proceedings of the Working Group concluded. The Working Group concluded its meetings on January 6, 1998.

Subsequent to the formal close of the comment period, various entries have been made in the docket, many of which have been available for public examination for some time. However, due to the length of time that has passed since the formal close of the comment period and the completion of the Working Group meetings, FRA would like to notify all interested parties of the following recent entries in the docket:

- Minutes of the Passenger Equipment Safety Standards Working Group meeting held on December 15–16, 1997.
- Minutes of the Passenger Equipment Safety Standards Working Group meeting held on January 6, 1998.
- A letter dated April 2, 1998 from William W. Millar, President, American

Public Transit Association, to Jolene M. Molitoris, Administrator, FRA.

- A letter dated April 17, [1998] and attached documents from G. P. Binns, General Manager, Mechanical Standards and Compliance, National Railroad Passenger Corporation, to Grady C. Cothen, Jr., Deputy Associate Administrator for Safety, Federal Railroad Administration.
- Documents dated April 24, 1998 from the National Railroad Passenger Corporation.

The items noted above—and all other information contained in the public docket for the rulemaking—are available for examination during regular business hours in FRA's Office of Chief Counsel, Seventh Floor, 1120 Vermont Avenue, N.W., Washington, D.C.

Issued in Washington, D.C., on May 19, 1998.

Grady C. Cothen, Jr.,

Deputy Associate Administrator for Safety Standards and Program Development.

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