on February 19, 1999, and was then extended to April 15, 1999 (64 FR 15322; March 31, 1999). We are again reopening and extending the comment period for an additional 5 days.

DATES: We will accept written comments on the proposed rule until 5 p.m. Eastern time, on May 10, 1999.

ADDRESSES: You may mail or hand-deliver comments to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 101, 1951 Constitution Avenue, NW, Washington, DC 20240. You may also submit comments to OSM via the Internet at: osmrules@osmre.gov.

FOR FURTHER INFORMATION CONTACT: Earl D. Bandy, Jr., Office of Surface Mining Reclamation and Enforcement, Applicant/Violator System Office, 2679 Regency Road, Lexington, Kentucky 40503. Telephone: (606) 233–2796 or (800) 643–9748. E-Mail: ebandy@osmre.gov.

SUPPLEMENTARY INFORMATION: In order to accept comments from members of the public received shortly after the close of the comment period, we are reopening and extending the public comment period for the proposed rule published on December 21, 1998 (63 FR 70580). We are extending the comment period an additional 5 days.

In the rule, we are proposing revised permit eligibility requirements for surface coal mining operations under the Surface Mining Control and Reclamation Act of 1977 (SMCRA). In particular, we propose to revise how ownership and control of mining operations is determined under section 510(c) of SMCRA so that applicants who are responsible for unabated violations do not receive new permits. We have designed this proposal to be effective, fair, and consistent with a 1997 decision by the U.S. Court of Appeals for the DC Circuit addressing ownership and control issues.

Dated: April 28, 1999.

Mary Josie Blanchard,

Assistant Director, Program Support.

[FR Doc. 99–11125 Filed 5–3–99; 8:45 am]

BILLING CODE 4310–05–M

DEPARTMENT OF VETERANS AFFAIRS

38 CFR Part 17

RIN 2900–AJ07

Medication Prescribing Authority

AGENCY: Department of Veterans Affairs.

ACTION: Proposed rule.

SUMMARY: This document proposes to amend the medical regulations of the Department of Veterans Affairs (VA) regarding patient rights concerning the prescribing of medications. The current regulations were intended to ensure that patients are free of unnecessary medications, that a patient's medical record contains entries reflecting prescribed medications, that drug regimens are reviewed in a timely manner, and that medications not be used as punishment. The adoption of this proposed rule would not lessen these requirements. However, the regulations noted that medication would be administered only on the written order of a physician. Further, the regulations provided for medication review only by a physician. Today, throughout the health care industry other health care professionals are recognized as qualified and credentialed to prescribe medications and conduct medication reviews. Under these circumstances, VA proposes to update the regulations by stating that other health care professionals also are able to prescribe medications as authorized by VA and to conduct the necessary medication reviews. Further, in order to utilize technological advances, VA proposes to amend the regulations to allow for VA health care professionals to issue prescriptions by electronic means in addition to ordering prescriptions by telephone.

DATES: Comments must be received on or before July 6, 1999.

ADDRESSES: Mail or hand-deliver written comments to: Director, Office of Regulations Management (02D), Department of Veterans Affairs, 810 Vermont Avenue, NW, Room 1154, Washington, DC 20420. Comments should indicate that they are submitted in response to ''RIN 2900-AJ07.'' All written comments received will be available for public inspection at the above address, Room 1158, between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday (except holidays).

FOR FURTHER INFORMATION CONTACT: Ronald J. Gebhart, M.D., Chief Consultant, Primary and Ambulatory Care (112), Veterans Health Administration, 202–273–8550. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Regulatory Flexibility Act

The Secretary of Veterans Affairs hereby certifies that adoption of the proposed rule will not have a significant economic impact on a substantial number of small entities as they are defined in the Regulatory Flexibility Act, 5 U.S.C. 601–612. This proposed rule concerns which VA health care professionals may prescribe medications. It would not have an affect on small entities and is not intended to affect the prescription of medications to veterans. Pursuant to 5 U.S.C. 605(b), this proposed rule, therefore, is exempt from the initial and final regulatory flexibility analysis requirements of §§ 603 and 604.

Executive Order 12866

This proposed rule has been reviewed by OMB under Executive Order 12866.

Catalog of Federal Domestic Assistance

There is no Catalog of Federal Domestic Assistance number for this proposed rule.

List of Subjects in 38 CFR Part 17

Alcoholism, Claims, Dental health, Drug abuse, Foreign relations, Government contracts, Grant programs-health, Health care, Health facilities, Health professions, Medical devices, Medical research, Mental health programs, Nursing home care, Philippines, Veterans.

Approved: January 5, 1999

Togo D. West, Jr.,

Secretary of Veterans Affairs.

For the reasons set out in the preamble, 38 CFR part 17 is proposed to be amended as set forth below.

PART 17—MEDICAL

1. The authority citation for part 17 continues to read as follows:

Authority: 38 USC 501, 1721, unless otherwise noted.

2. In 17.33, paragraph (e) is revised to read as follows:

17.33 Patients' rights.

* * * * *

(e) *Medication.* Patients have a right to be free from unnecessary or excessive medication. Medication will be administered only on the order of a healthcare professional authorized by VA to prescribe medication. That individual may issue the order personally, or in the case of an emergency, by telephone or other electronic means. If made personally, the healthcare professional must issue the order in writing by placing an entry in the patient's medical record. If the order is issued by telephone or other electronic means, the person receiving the order must place an entry in the patient's medical record showing that the order was made, and it must be countersigned within 24 hours by a healthcare professional authorized by VA to prescribe medication. The

attending healthcare provider shall be responsible for all medication given or administered to a patient. The attending healthcare provider shall review the drug regimen of each patient under his or her care at least every thirty (30) days, and the administration of certain medications will be reviewed more frequently. Medication shall not be used as punishment, or for the convenience of the staff, or in quantitites which interfere with the patient's treatment program.

* * * * *

[FR Doc. 99–11070 Filed 5–3–99; 8:45 am]

BILLING CODE 8320–01–U

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 038–100b; FRL–6333–5]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from paper, fabric, and film coating operations; graphic arts, coatings and ink manufacturing; plastic, rubber, and glass coatings; motor vehicle and mobile equipment non-assembly line coating operations; and solvent cleaning operations.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received, no further activity is contemplated in relation to this rule. If EPA receives adverse comments, the direct final rule will not take effect and all public comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this rule. Any parties interested in commenting on this rule should do so at this time.

DATES: Comments must be received in writing by June 3, 1999.

ADDRESSES: Written comments on this action should be addressed to: Andrew Steckel, Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901.

Copies of the rule revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule revisions are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95812.

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765.

FOR FURTHER INFORMATION CONTACT: Andrew Steckel, Rulemaking Office (AIR–4), Air Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105–3901, Telephone: (415) 744–1185.

SUPPLEMENTARY INFORMATION: This document concerns South Coast Air Quality Management District Rules 1128—Paper, Fabric, and Film Coating Operations; 1130—Graphic Arts; 1141.1—Coatings and Ink Manufacturing; 1145—Plastic, Rubber, and Glass Coatings; 1151—Motor Vehicle and Mobile Equipment Non-Assembly Line Coating Operations; and 1171—Solvent Cleaning Operations, submitted to EPA on July 23, 1996 (1128, 1130), September 14, 1992 (1141.1), August 1, 1997 (1145), and March 10, 1998 (1151, 1171) by the California Air Resources Board. For further information, please see the information provided in the Direct Final action that is located in the Rules section of this **Federal Register**.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: April 22, 1999.

Felicia Marcus,

Regional Administrator, Region IX.

[FR Doc. 99–11040 Filed 5–3–99; 8:45 am]

BILLING CODE 6560–50–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 70

[NJ002; FRL–6333–7]

Approval of State Operating Permit Rule Revision; New Jersey

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed approval.

SUMMARY: The United States Environmental Protection Agency (EPA) is proposing to approve revisions to the Operating Permit Rule submitted by the State of New Jersey to fulfill the requirements of Title V of the Clean Air Act, as amended on November 15, 1990. The revisions extend the deadlines for permit applications submitted in electronic format by affected sources. We are proposing to approve the revised Operating Permit Rule which allows electronic applications to be submitted by February 4, 1999 and May 4, 1999, respectively for the last two waves of affected sources. In the ''Rules and Regulations'' section of this **Federal Register**, EPA is publishing a separate document that will serve as the agency's decision to approve the State rule revision. EPA is approving New Jersey's revised Operating Permit Rule, codified at N.J.A.C. 7:27–22, as a direct final rule without prior proposal in the view that the subject revision is noncontroversial and therefore would receive no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If EPA receives no adverse comments, EPA will not take further action on this rule. If EPA receives adverse comments, EPA will withdraw the direct final rule and it will not take effect. EPA will address all public comments in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments must be received on or before June 3, 1999.

ADDRESSES: All comments should be addressed to: Raymond Werner, Acting Chief, Air Programs Branch, Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th Floor, New York, New York 10007–1866.

Copies of the State submittal are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency, Region 2 Office, 290 Broadway, 25th