

necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to the File No. SR-Phlx-2002-52 and should be submitted by November 20, 2002.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>20</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02-27537 Filed 10-29-02; 8:45 am]

BILLING CODE 8010-01-P

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

[USCG-2002-13582]

#### National Preparedness for Response Exercise Program (PREP)

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice; request for public comments on PREP triennial exercise schedule for 2003, 2004, and 2005.

**SUMMARY:** The Coast Guard, the Research and Special Programs Administration, the Environmental Protection Agency and the Minerals Management Service, in concert with representatives from various State governments, industry, environmental interest groups, and the general public, developed the Preparedness for

Response Exercise Program (PREP) Guidelines to reflect the consensus agreement of the entire oil spill response community. This notice announces the PREP triennial cycle, 2003-2005, requests comments from the public, and requests industry participants to volunteer for scheduled PREP Area exercises.

**DATES:** Comments and related material must reach the Docket Management Facility on or before December 30, 2002.

**ADDRESSES:** To make sure that your comments and related material are not entered more than once in the docket, please submit them by only one of the following means:

(1) By mail to the Docket Management Facility, (USCG-2002-13582), U.S. Department of Transportation, room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001.

(2) By delivery to room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

(3) By fax to the Docket Management Facility at 202-493-2251.

(4) Electronically through the Web Site for the Docket Management System at <http://dms.dot.gov>.

The Docket Management Facility maintains the public docket for this notice. Comments and material received from the public, will become part of this docket and will be available for inspection or copying at room PL-401 on the Plaza level of the Nassif Building, 400 Seventh Street SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also find this docket on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, or need general information regarding the PREP Program and the schedule, contact Mr. Robert Pond, Office of Response, Plans and Preparedness Division (G-MOR-2), U.S. Coast Guard Headquarters, telephone 202-267-6603, fax 202-267-4065 or e-mail [rpond@comdt.uscg.mil](mailto:rpond@comdt.uscg.mil). If you have questions on viewing or submitting material to the docket, call Ms. Dorothy Beard, Chief, Dockets, Department of Transportation, telephone 202-366-5149.

**SUPPLEMENTARY INFORMATION:** The PREP Area exercise schedule and exercise design manuals are available on the Internet at <http://www.uscg.mil/hq/nsfcc/nsfweb/>. To obtain a hard copy of the exercise design manual, contact Ms. Melanie Barber at the Research and

Special Programs Administration, Office of Pipeline Safety, at 202-366-4560. The 2002 PREP Guidelines booklet is available at no cost on the Internet at <http://www.uscg.mil/hq/nsfcc/nsfweb/> or by writing or faxing the TASC DEPT Warehouse, 33141Q 75th Avenue, Landover, MD 20785, facsimile: 301-386-5394. The stock number of the manual is USCG-X0241. Please indicate the quantity when ordering. Quantities are limited to 10 per order.

#### Request for Comments

We encourage you to participate by submitting comments and related material. If you do so, please include your name and address, identify the docket number [USCG-2002-13582], indicate the specific section of this document to which each comment applies, and give the reason for each comment. You may submit your comments and material by mail, hand delivery, fax, or electronic means to the Docket Management Facility at the address under **ADDRESSES**; but please submit your comments and material by only one means. If you submit them by mail or hand delivery, submit them in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing. If you submit them by mail and would like to know they reached the Facility, please enclose a stamped, self-addressed postcard or envelope. We will consider all comments and material received during the comment period. We may change this triennial exercise schedule in view of them.

#### Background and Purpose

In 1994, the Coast Guard (USCG) and the Research and Special Programs Administration (RSPA) of the Department of Transportation, the U.S. Environmental Protection Agency (U.S. EPA), and the Minerals Management Service (MMS) of the Department of Interior, coordinated the development of the National Preparedness for Response Exercise Program (PREP) Guidelines to provide guidelines for compliance with the Oil Pollution Act of 1990 (OPA 90) pollution response exercise requirements (33 U.S.C. 1321(j)). The guiding principles for PREP distinguish between internal and external exercises. Internal exercises are conducted within the plan holder's organization. External exercises extend beyond the plan holder's organization to involve other members of the response community. External exercises are separated into two categories: (1) Area exercises, and (2) Government-initiated unannounced exercises. These exercises are designed to evaluate the entire response

<sup>20</sup> 17 CFR 200.30-3(a)(12).

mechanism in a given area to ensure adequate pollution response preparedness.

Since 1994, the USCG, U.S. EPA, MMS, and RSPA's Office of Pipeline Safety (OPS) have published a triennial schedule of Area exercises. In short, the Area exercises involve the entire

response community (Federal, State, local, and industry participants) and therefore, require more extensive planning than other oil spill response exercises. The PREP Guidelines describe all of these exercises in more detail.

This notice announces the next triennial schedule of Area exercises. If a company

wants to volunteer for an Area exercise, a company representative may call either the Coast Guard or EPA On-Scene Coordinator (OSC) where the exercise is scheduled.

The following table is the PREP schedule for calendar years 2003, 2004, and 2005.

PREP SCHEDULE—GOVERNMENT-LED AREA EXERCISES

Area	Agency	Date/Qtr <sup>1</sup>	Participant
<b>Calendar Year 2003</b>			
Florida Panhandle (MSO Mobile) .....	CG .....	1	
SE Alaska (MSO Juneau) .....	CG .....	2	
Philadelphia, PA (MSO Philadelphia) .....	CG .....	3	
Region II RCP or Caribbean (EPA Region II) .....	EPA .....	3	
Portland, ME (MSO Portland) .....	CG .....	4	
Buffalo, NY (MSO Buffalo) .....	CG .....	4	
<b>Calendar Year 2004</b>			
SF/LA/LB/San Diego (MSO San Francisco, MSO Los Angeles/Long Beach & MSO San Diego) .....	CG SONS <sup>2</sup> .....	1	
Prince William Sound (MSO Valdez) .....	CG .....	2	
Charleston, SC (MSO Charleston) .....	CG .....	2	
South Texas Coast (MSO Corpus Christi) .....	CG .....	3	
Duluth-Superior (MSO Duluth) .....	CG .....	3	
Guam (MSO Guam) .....	CG .....	4	
Region I RCP (EPA Region I) .....	EPA .....	4	
<b>Calendar Year 2005</b>			
Virginia Coastal (MSO Hampton Roads) .....	CG .....	2	
Houston-Galveston (MSO Houston) .....	CG .....	2	
Alabama (MSO Mobile) .....	CG .....	3	
Region V RCP (EPA Region V) .....	EPA .....	3	
Providence (MSO Providence) .....	CG .....	4	
Western Alaska (MSO Anchorage) .....	CG .....	4	

<sup>1</sup> Quarters: 1 (January-March); 2 (April-June); 3 (July-September); 4 (October-December).

<sup>2</sup> SONS: Spill of National Significance.

PREP SCHEDULE—INDUSTRY-LED AREA EXERCISES

Area	Date/Qtr <sup>1</sup>	Participant
<b>Calendar Year 2003</b>		
Region IX RCP (EPA Region IX) .....	1	
Cleveland, OH (MSO Cleveland) .....	1	
Detroit (MSO Detroit) .....	2	
Jacksonville (MSO Jacksonville) .....	2	
New Orleans (MSO New Orleans) .....	2	
Northwest Area—Portland (MSO Portland) .....	2	
Region III RCP (EPA Region III) .....	3	
North Coast (CA) (MSO San Francisco) .....	3	
Caribbean Area (MSO San Juan) .....	3	
Western Lake Erie (MSO Toledo) .....	3	
Region VI RCP (EPA Region VI) .....	4	
Northern Marianas—Saipan (MSO Saipan) .....	4	
<b>Calendar Year 2004</b>		
Region IV RCP (EPA Region IV) .....	1	
New York, NY (Activities NY) .....	1	
Maryland Coastal (MSO Baltimore) .....	2	
Chicago, IL (MSO Chicago) .....	2	
Morgan City (MSO Morgan City) .....	2	
Eastern Wisconsin (MSO Milwaukee) .....	3	
Long Island Sound (MSO Long Island) .....	3	
Northwest—Puget Sound (MSO Puget Sound) .....	3	
Savannah (MSO Savannah) .....	3	
Region VII RCP (EPA Region VII) .....	4	

PREP SCHEDULE—INDUSTRY-LED AREA EXERCISES—Continued

Area	Date/Qtr <sup>1</sup>	Parti- cipant
<b>Calendar Year 2005</b>		
Region VIII (EPA Region VIII) .....	1	
Boston (MSO Boston) .....	1	
Buffalo (MSO Buffalo) .....	2	
Hawaii Islands (MSO Honolulu) .....	2	
South LA/LB .....	2	
South Florida (MSO Miami) .....	2	
S. North Carolina (MSO Wilmington) .....	3	
Region X or EPA Alaska (EPA Region X) .....	3	
SW LA/SE Texas (MSO Port Arthur) .....	3	
San Diego (MSO San Diego) .....	3	
Tampa (MSO Tampa) .....	4	
Sault Ste. Marie (MSO Sault Ste. Marie) .....	4	

<sup>1</sup> Quarters: 1 (January-March); 2 (April-June); 3 (July-September); 4 (October-December).

Dated: October 15, 2002.

**Howard L. Hime,**

*Acting Director of Standards, Marine Safety, Security & Environmental Protection.*

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**BILLING CODE 4910-15-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Highway Administration**

**Environmental Impact Statement; Cass and Crow Wing Counties, Minnesota**

**AGENCY:** Federal Highway Administration (FHWA), DOT

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for proposed highway improvements to Trunk Highway (TH) 371 from the intersection of TH 371 and Crow Wing County Road 18 in Nisswa to the intersection of TH 371 and Cass County Road 42 in Pine River, a distance of approximately 16.0 miles, in Cass and Crow Wing Counties, Minnesota.

**FOR FURTHER INFORMATION CONTACT:**

Cheryl Martin, Federal Highway Administration, Galtier Plaza, 380 Jackson Street, Suite 500, St. Paul, Minnesota 55101, Telephone (651) 291-6120; or Tony Hughes, Project Manager, Minnesota Department of Transportation—District 3, 1991 Industrial Park Road, Baxter, Minnesota 56425, Telephone (218) 828-2465; (651) 296-9930 TTY.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the Minnesota Department of Transportation (Mn/DOT), will prepare an EIS on a proposal to reconstruct TH 371 from the intersection of TH 371 and

Crow Wing County Road 18 in Nisswa to the intersection of TH 371 and Cass County Road 42 in Pine River, a distance of approximately 16.0 miles, in Crow Wing and Cass Counties, Minnesota. The proposed action is being considered to address future transportation demand, safety problems, lack of access control, and design deficiencies.

The EIS will evaluate the social, economic, transportation and environmental impacts of alternatives, including: (1) No-Build and (2) variations of “Build” alternatives involving reconstruction and capacity expansion of TH 371 along the existing highway corridor, including individual or combined bypass alignments around the Cities of Pequot Lakes, Jenkins and Pine River.

It is anticipated that the “Trunk Highway 371 Scoping Document/Draft Scoping Decision Document” will be published in the fall of 2002. A press release will be published to inform the public of the document’s availability. Copies of the scoping document will be distributed to agencies, interested persons and libraries for review to aid in identifying issues and analyses to be contained in the EIS. A thirty-day comment period for review of the document will be provided to afford an opportunity for all interested persons, agencies and groups to comment on the proposed action. A public scoping meeting will also be held during the comment period. Public notice will be given for the time and place of the meeting. A Draft EIS will be prepared based on the outcome of the scoping process. The Draft EIS will be available for agency and public review and comment. In addition, a public hearing will be held following completion of the Draft EIS. Public Notice will be given for the time and place of the public hearing

on the Draft EIS. Coordination has been initiated and will continue with the appropriate Federal, State and local agencies and private organizations and citizens who have previously expressed or are known to have an interest in the proposed action. To ensure that the full range of issues related to this proposed action are addressed and all significant issues identified, comments and suggestions are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: October 23, 2002.

**Stanley M. Graczyk,**

*Project Development Engineer, Federal Highway Administration, St. Paul, Minnesota.*

[FR Doc. 02-27555 Filed 10-29-02; 8:45 am]

**BILLING CODE 4910-22-M**

**DEPARTMENT OF TRANSPORTATION**

**Maritime Administration**

**Marine Transportation System National Advisory Council**

**AGENCY:** Maritime Administration, DOT.

**ACTION:** National Advisory Council public meeting.

**SUMMARY:** The Maritime Administration announces that the Marine Transportation System National Advisory Council (MTSNAC) will hold a meeting to discuss the Council’s Team Reports, its SEA-21 proposal, and other issues. A public comment period is