

of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

Issued in Renton, Washington, on September 11, 1995.

**D.L. Riggan,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service.*

[FR Doc. 95-22968 Filed 9-14-95; 8:45 am]

BILLING CODE 4910-13-U

## DEPARTMENT OF DEFENSE

### Office of the Secretary

#### 32 CFR Part 311

#### OSD Privacy Program

**AGENCY:** Office of the Secretary of Defense, DOD.

**ACTION:** Proposed rule.

**SUMMARY:** In accordance with the Privacy Act of 1974, the Office of the Joint Staff proposes to exempt the system of records JS004SECDIV, entitled Joint Staff Security Clearance Files. The exemption is needed to comply with prohibitions against disclosure of information provided the government under a promise of confidentiality and to protect privacy rights of individuals identified in the system of records.

**DATES:** Comments must be received no later than November 14, 1995, to be considered by this agency.

**ADDRESSES:** Send comments to OSD Privacy Act Officer, Directives and Records Division, Washington Headquarters Services, Correspondence and Directives, 1155 Defense Pentagon, Washington, DC 20301-1155.

**FOR FURTHER INFORMATION CONTACT:** Mr. Dan Cragg at (703) 695-0970.

**SUPPLEMENTARY INFORMATION:**

#### Executive Order 12866

The Director, Administration and Management, Office of the Secretary of Defense has determined that this proposed Privacy Act rule for the Department of Defense does not constitute "significant regulatory action." Analysis of the rule indicates that it does not have an annual effect on the economy of \$100 million or more; does not create a serious inconsistency or otherwise interfere with an action taken or planned by another agency; does not materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; does not raise novel legal or policy issues arising out of legal mandates, the President's priorities, or the principles

set forth in Executive Order 12866 (1993).

#### Regulatory Flexibility Act of 1980

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act rule for the Department of Defense does not have significant economic impact on a substantial number of small entities because it is concerned only with the administration of Privacy Act systems of records within the Department of Defense.

#### Paperwork Reduction Act

The Director, Administration and Management, Office of the Secretary of Defense certifies that this Privacy Act proposed rule for the Department of Defense imposes no information requirements beyond the Department of Defense and that the information collected within the Department of Defense is necessary and consistent with 5 U.S.C. 552a, known as the Privacy Act of 1974.

Investigative and other records needed to make the judgment of approval or denial of a security clearance may require that certain records in the system be protected using the specific exemption (k)(5), to insure that a source who furnished information to the Government under an express promise of confidentiality be held in confidence, or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence will be afforded such protection.

#### List of Subjects in 32 CFR Part 311

Privacy.

Accordingly, 32 CFR part 311 is amended as follows:

1. The authority citation for 32 CFR part 311 continues to read as follows:

**Authority:** Pub. Law 93-579, 88 Stat 1896 (5 U.S.C. 552a).

2. Section 311.7 is amended by adding paragraph (c)(9) as follows:

#### § 311.7 Procedures for exemptions.

\* \* \* \* \*

(c) *Specific exemptions.* \* \* \*

(9) *System identifier and name--* JS004SECDIV, Joint Staff Security Clearance Files.

*Exemption.* Portions of this system of records are exempt pursuant to the provisions of 5 U.S.C. 552a(k)(5) from subsections 5 U.S.C. 552a(d)(1) through (d)(5).

*Authority.* 5 U.S.C. 552a(k)(5).

*Reasons.* From subsections (d)(1) through (d)(5) because the agency is required to protect the confidentiality of

sources who furnished information to the government under an expressed promise of confidentiality or, prior to September 27, 1975, under an implied promise that the identity of the source would be held in confidence. This confidentiality is needed to maintain the Government's continued access to information from persons who otherwise might refuse to give it. This exemption is limited to disclosures that would reveal the identity of a confidential source. At the time of the request for a record, a determination will be made concerning whether a right, privilege, or benefit is denied or specific information would reveal the identity of a source.

\* \* \* \* \*

Dated: September 8, 1995.

**Linda L. Bynum,**

*Alternate OSD Federal Register Liaison Officer, Department of Defense.*

[FR Doc. 95-22978 Filed 9-14-95; 8:45 am]

BILLING CODE 5000-04-F

## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 162

[CGD-94-026]

RIN 2115-AE78

#### Inland Waterways Navigation Regulations: Wrangell Narrows, Alaska

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to allow single barge tows of up to 100 feet in width overall to transit Wrangell Narrows, Alaska. The current size restriction for single barge tows in Wrangell Narrows is 80 feet in width overall. An increase in the maximum barge width in Wrangell Narrows will allow barge operators to carry more cargo on each barge to meet the increasing needs of their Alaskan consumers. Increasing the restriction to 100 feet in width overall will have no adverse effects on navigation and marine safety in Wrangell Narrows.

**DATES:** Comments must be received on or before November 14, 1995.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 94-026), U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, or may be delivered to Room 3406 at the above address

between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

**FOR FURTHER INFORMATION CONTACT:** Diane Schneider Appleby, Project Manager, (202) 267-0352.

**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 name and address, identify this rulemaking (CGD 94-026) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at Room 3406, U.S. Coast Guard Headquarters. 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 Marine Safety Council at the address under **ADDRESSES**. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

**Drafting Information**

This principal persons involved in drafting this document are Diane Schneider Appleby, Project Manager, and C.G. Green, Project Counsel.

**Background and Purpose**

Wrangell Narrows is a navigable waterway of the United States located in Southeast Alaska. It connects Frederick Sound on the north end to Sumner Strait on the south. It is approximately 24 miles long and narrows to 300 feet in five places. The longest of the 300 foot wide sections is approximately 5.5 nautical miles in length. The other four sections vary from approximately 600 yards to approximately 1.3 nautical miles in length.

The primary users of Wrangell Narrows are passenger ferries, log carriers, pleasure craft and container barges. Container barges are used to transport consumer goods throughout

South East Alaska which is vital to the every day life of Alaskan citizens.

The increased demand for consumer goods in Southeast Alaska has created a greater demand on providers of these goods. The current regulations limit the width of single barge tows allowed to transit Wrangell Narrows to no more than 80 feet in width overall. Increasing the maximum barge width which can transit Wrangell Narrows from 80 to 100 feet would allow barge operators to carry more containers per transit and enable them to more efficiently meet the needs of their Alaskan customers.

Approximately 95,000 containers are shipped through Southeast Alaska each year on approximately 200 transits of Wrangell Narrows. Consumer goods are the primary cargo.

Barges larger than 80 feet in width overall, cannot transit Wrangell Narrows without a waiver of the size restriction. If they cannot use Wrangell Narrows, they must transit through Chatham Strait around Cape Decision which increases the transit distance to the Gulf of Alaska by over 170 miles. Inclement weather, common in Southeast Alaska, often causes delays of as many as two or three days while barge operators wait for better weather to make the passage around Cape Decision. The risk of a marine casualty increases when transporting cargo in severe weather.

Wrangell Narrows is wide enough, even in its narrowest sections, to allow for the safe transit of 100 foot wide barges. Alaska Marine Lines has been safely operating 100 foot wide single barge tows on Wrangell Narrows with a Coast Guard waiver since May 1994, after expressing a written need for an increase in the maximum width of single barge tows. Southeast Alaska relies heavily upon container barges to deliver consumer goods essential to the every day life of its residents. Allowing 100 foot wide single barge tows in Wrangell Narrows would eliminate all current requests for waivers from the width restriction and would reduce unnecessary weather-related delays of consumer good shipments to Alaskan residents. It would also allow most single barge tows to operate in the protected waters of Wrangell Narrows during inclement weather.

**Regulatory Evaluation**

This proposal is not a significant regulatory action under Executive Order 12866 and is not significant under the Department of Transportation Regulatory Policies and Procedures (44 FR 11040; February 26, 1979). The Coast Guard has determined that a Regulatory Evaluation is unnecessary because of the minimal impact expected.

**Small Entities**

Because it expects the impact of the proposal to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic impact on a substantial number of small entities. If, however, you think that your business qualifies as a small entity and that this proposal will have a significant economic impact on your business, please submit a comment (see **ADDRESSES**) explaining why you think your business qualifies and in what way and to what degree this proposal will economically affect your business.

**Collection of Information**

This proposal contains no collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*)

**Federalism**

This proposed rule has been analyzed in accordance with Executive Order No. 12612 on Federalism (October 26, 1987), which requires Executive departments and agencies to be guided by certain fundamental federalism principles in formulating and implementing policies. These policies have been fully considered in the development of the proposed regulation. This proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

**Environment**

The Coast Guard has considered the environmental impact of this proposal and concluded that this action is Categorically Excluded in accordance with section 2.B.2.e(34)(g) of the NEPA Implementing Procedures, COMDTINST M16475.2B. A copy of the categorical exclusion determination is available in the docket for inspection or copying where indicated under **ADDRESSES**.

**List of Subjects in 33 CFR Part 162**

Navigation (water), Waterways.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR Part 162 as follows:

**PART 162—INLAND WATERWAYS NAVIGATION REGULATIONS**

1. The authority citation for part 162 continues to read as follows:

**Authority:** 3 U.S.C. 1231; 49 CFR 1.46.

2. In section 162.255, paragraph (e)(2) is revised to read as follows:

**§ 162.255 Wrangell Narrows, Alaska; use, administration, and navigation.**

\* \* \* \* \*  
(e) \* \* \*

(2) Raft and barge tows of more than one unit shall not exceed 65 feet in width overall. Single barge tows shall not exceed 100 feet in width overall.

\* \* \* \* \*

Dated: September 7, 1995.

**J.A. Creech,**

*Captain, U.S. Coast Guard, Acting Chief, Office of Navigation Safety and Waterway Services.*

[FR Doc. 95-22985 Filed 9-14-95; 8:45 am]

BILLING CODE 4910-14-M

### 33 CFR Part 165

[CGD01-95-123]

RIN 2115-AA97

#### **Safety Zone: Grande Fiesta Italiana Fireworks, Hempstead Harbor, New York**

AGENCY: Coast Guard, DOT.

ACTION: Notice of withdrawal.

**SUMMARY:** This rulemaking project was initiated to establish a temporary safety zone in Hempstead Harbor, New York, for the Grande Fiesta Italiana Fireworks Program. On August 14, 1995, the Coast Guard was notified that the location of the fireworks program was changed to a point on land. Due to the change in location, a safety zone is no longer required. Therefore, the Coast Guard is terminating further rulemaking under docket number CGD01-95-123.

**FOR FURTHER INFORMATION CONTACT:** Lieutenant (Junior Grade) K. Messenger, Maritime Planning Staff Chief, Coast Guard Group New York (212) 668-7934.

#### **SUPPLEMENTARY INFORMATION:**

##### **Background and Purpose**

On August 9, 1995, the Coast Guard published a Notice of proposed rulemaking (NPRM) in the **Federal Register** (60 FR 40543). The proposal was to establish a temporary safety zone in all waters of Hempstead Harbor, shore to shore, within a 300 yard radius of a fireworks barge anchored approximately 300 yards north of Bar Beach, Port Washington, New York, at or near 40°49'52" N Latitude, 073°39'10" W longitude (NAD 1983). The safety zone was to be in effect from 9 p.m. until 10:15 p.m. on September 10, 1995, unless extended or terminated sooner by the Captain of the Port New York. No comments were received in response to the NPRM.

On August 14, 1995, Fireworks by Grucci, Inc. informed the Coast Guard that the location of the fireworks program was changed from Hempstead Harbor to a point on land in the vicinity of Bar Beach, Port Washington, New

York. The fireworks program will no longer require a safety zone. Therefore, this rulemaking is no longer necessary and the Coast Guard is terminating further rulemaking under docket number CGD01-95-123.

Dated: September 6, 1995.

**T.H. Gilmour,**

*Captain, U.S. Coast Guard, Captain of the Port New York.*

[FR Doc. 95-22984 Filed 9-14-95; 8:45 am]

BILLING CODE 4910-14-M

### ENVIRONMENTAL PROTECTION AGENCY

#### 40 CFR Part 52

[CT26-1-7198; A-1-FRL-5296-4]

#### **Approval and Promulgation of Air Quality Implementation Plans; Approval of the Carbon Monoxide Implementation Plan Submitted by the State of Connecticut Pursuant to Sections 186-187 and 211(m)**

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

**SUMMARY:** The EPA proposes approval of the State implementation plans (SIP) submitted by the State of Connecticut for the purpose of bringing about the attainment of the national ambient air quality standard (NAAQS) for carbon monoxide (CO). The implementation plans were submitted by the State to satisfy the requirements of Sections 187(a)(2)(A), 187(a)(3), 187(a)(7) and 211(m) of the Clean Air Act for an approvable nonattainment area CO SIP for Connecticut's portion of the New York-New Jersey-Connecticut CO nonattainment area. This action is being taken under Section 110 of the Act. The rationale for the approval is set in this document, additional information is available at the address indicated below.

**DATES:** Comments on this proposed action must be received in writing by October 16, 1995.

**ADDRESSES:** Comments may be mailed to Susan S. Studlien, Director, Air, Pesticides and Toxics Management Division, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg. (AAA), Boston, MA 02203. Copies of the state's submittal and EPA's technical support document are available for inspection during normal business hours, by appointment at the U.S. Environmental Protection Agency, Jerry Kurtzweg, ANR-443, 401 M Street, SW, Washington, D.C. 20460; the Air, Pesticides and Toxics Management Division, U.S. Environmental Protection

Agency, Region I, One Congress Street, 10th floor, Boston, MA 02203; and the Bureau of Air Management, Department of Environmental Protection, 79 Elm Street, Hartford, CT 06106.

#### **FOR FURTHER INFORMATION CONTACT:**

Damien F. Houlihan, (617) 565-3266, of the U.S. Environmental Protection Agency in Boston, MA.

**SUPPLEMENTARY INFORMATION:** On January 12, 1993, January 14, 1993, April 7, 1994, and August 1, 1995, the Connecticut Department of Environmental Protection (DEP) submitted a revision to its State Implementation Plan (SIP) for air quality. The revision is designed to satisfy the requirements of Sections 187(a)(2)(A), 187(a)(3), 187(a)(7) and 211(m) of the Clean Air Act, as amended in 1990 (CAA).

#### **I. Background**

The air quality planning requirements for moderate CO nonattainment areas are set out in Sections 186-187 and Section 211(m) of the Clean Air Act (Act) Amendments of 1990 (CAAA). These requirements pertain to the classification of CO nonattainment areas and to the submission requirements of the SIP's for these areas, respectively. The EPA has issued a "General Preamble" describing EPA's preliminary views on how EPA intends to review SIP's and SIP revisions submitted under Title I of the Act. See generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992). Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I advanced in today's proposal and the supporting rationale. In today's rulemaking action on the Connecticut CO SIP, EPA is proposing to apply its interpretations taking into consideration the specific factual issues presented. Thus, EPA will consider any timely submitted comments before taking final action on today's proposal.

Those States containing CO nonattainment areas with design values greater than 12.7 parts per million (ppm) were required to submit, among other things, a State Implementation Plan revision, by November 15, 1992, that contains a forecast of VMT in the nonattainment area for each year before the year in which the SIP projects the NAAQS for CO to be attained and an attainment demonstration such that the plan will provide for attainment by December 31, 1995 for moderate CO nonattainment areas. The SIP revision is also required to provide for annual