

Comments to the Docket

The agencies are providing a 30-day comment period for interested parties to present data, views, and arguments on the proposed action. The agencies invite comments on the issues raised in this notice and any other issues commenters believe are relevant to this action. All comments must not exceed 15 pages in length (49 CFR 553.21). This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion. Necessary attachments may be appended to these submissions without regard to the 15-page limit.

All comments received before the close of business on the comment closing date indicated above for the proposal will be considered and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule, if one is issued, will be considered as suggestions for further rulemaking action. The agencies will continue to file relevant information in the docket as it becomes available after the closing date and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified of receipt of their comments by the docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receipt of the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 23 CFR Part 1206

Grant programs—transportation, Highway safety.

In accordance with the foregoing, Part 1206 of Title 23 of the Code of Federal Regulations would be revised to read as follows:

PART 1206—RULES OF PROCEDURE FOR INVOKING SANCTIONS UNDER THE HIGHWAY SAFETY ACT OF 1966

Sec.

- 1206.1 Scope
- 1206.2 Purpose
- 1206.3 Definitions
- 1206.4 Sanctions
- 1206.5 Review Process

Authority: 23 U.S.C. 402; delegation of authority at 49 CFR 1.48 and 1.50.

§ 1206.1 Scope.

This part establishes procedures governing determinations to invoke the sanctions applicable to any State that does not comply with the highway safety program requirements in the

Highway Safety Act of 1966, as amended (23 U.S.C. 402).

§ 1206.2 Purpose.

The purpose of this part is to prescribe procedures for determining whether and the extent to which the 23 U.S.C. 402 sanctions should be invoked, and to ensure that, should sanctions be proposed to be invoked against a State, the State has a full and fair opportunity to be heard on the issues involved.

§ 1206.3 Definitions.

As used in this part:

(a) *Administrators* means the Administrators of the Federal Highway Administration and the National Highway Traffic Safety Administration.

(b) *Highway safety program* means an approved program in accordance with 23 U.S.C. 402, which is designed by a State to reduce traffic accidents, and death, injuries and property damage resulting therefrom.

(c) *Implementing* means both having and putting into effect an approved highway safety program.

§ 1206.4 Sanctions.

(a) The Administrators shall not apportion any funds under 23 U.S.C. 402 to any State which is not implementing a highway safety program.

(b) If the Administrators have apportioned funds to a State and subsequently determine that the State is not implementing a highway safety program, the Administrators shall reduce the funds apportioned under 23 U.S.C. 402 to the State by amounts equal to not less than 50 per centum, until such time as the Administrators determine that the State is implementing a highway safety program.

(c) The Administrators shall consider the gravity of the State's failure to implement a highway safety program in determining the amount of the reduction.

(d) If the Administrators determine that a State has begun implementing a highway safety program before the end of the fiscal year for which the funds were withheld, they shall promptly apportion to the State the funds withheld from its apportionment.

(e) If the Administrators determine that the State did not correct its failure before the end of the fiscal year for which the funds were withheld, the Administrators shall reapportion the withheld funds to the other States, in accordance with the formula specified in 23 U.S.C. 402(c), not later than 30 days after such determination.

§ 1206.5 Review process.

(a) In any fiscal year, if the Administrators determine, based on a preliminary review, that a State is not implementing a highway safety program in accordance with 23 U.S.C. 402, the Administrators shall issue jointly to the State an advance notice, advising the State that the Administrators expect to either withhold funds from apportionment under 23 U.S.C. 402, or reduce the State's apportioned funds under 23 U.S.C. 402. The Administrators shall state the amount of the expected withholding or reduction. The advance notice will normally be sent not later than ninety days prior to final apportionment.

(b) If the Administrators issue an advance notice to a State, based on a preliminary review, the State may, within 30 days of its receipt of the advance notice, submit documentation demonstrating that it is implementing a highway safety program. Documentation shall be submitted to the Administrator for NHTSA, 400 Seventh Street SW, Washington, D.C. 20590.

(c) If the Administrators decide, after reviewing all relevant information, that a State is not implementing a highway safety program in accordance with 23 U.S.C. 402, they shall issue a final notice, advising the State either of the funds being withheld from apportionment under 23 U.S.C. 402, or of the apportioned funds being reduced under 23 U.S.C. 402 and the amount of the withholding or reduction. The final notice of a withholding will normally be issued on October 1. The final notice of a reduction will be issued at the time of a final decision.

Issued on: March 19, 1996.

Rodney E. Slater,

Administrator, Federal Highway Administration.

Ricardo Martinez,

Administrator, National Highway Traffic Safety Administration.

[FR Doc. 96-7020 Filed 3-21-96; 8:45 am]

BILLING CODE 4910-59-P

Coast Guard

33 CFR Part 100

[CGD01-96-016]

RIN 2115-AE46

Special Local Regulations; Revision

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to permanently amend a number of special local regulations governing marine

events in the First Coast Guard District. Changes made to these sections will eliminate the requirement to publish notices for the respective events in the Federal Register. Annual notification and applicable changes to the events will be specified in a Coast Guard Notice to Mariners.

DATES: Comments must be received on or before May 6, 1996.

ADDRESSES: Comments should be mailed to Commander (b), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, MA 02110-3350, or may be hand delivered to Room 428 at the same address, between 8 a.m. and 4 p.m., Monday through Friday, except federal holidays. Comments will become part of this docket and will be available for inspection or copying at the above address.

FOR FURTHER INFORMATION CONTACT: Lieutenant(jg) B. M. Algeo, Chief, Boating Affairs Branch, First Coast Guard District, (617) 223-8311.

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 names and addresses, identify this notice (CGD01-96-016), the specific section of the proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an 8½" x 11" unbound format suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons requesting acknowledgment of receipt of comments should enclose a stamped, self-addressed postcard or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposed in view of the comments. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (b), First Coast Guard District at the address under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If it is determined 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

The drafters of this notice are Lieutenant(jg) B. M. Algeo, Project Manager, First Coast Guard District, and

Commander J. D. Stieb, Project Counsel, First Coast Guard District Legal Office.

Discussion of Proposed Amendments

The Coast Guard desires to permanently amend 33 C.F.R. Part 100, sections 100.103—National Sweepstakes Regatta, 100.107—Windjammer Days, 100.108—Great Kennebec River Whatever Race, 100.109—Whatever Festival Hydroplanes, 100.111—Stonington Lobster Boat Races, and 100.505—New Jersey Offshore Grand Prix. These sections currently require either the effective dates and times of each rule or changes to the effective dates and times be published in the Federal Register. To reduce unnecessary administrative actions, the Coast Guard proposes to eliminate the requirements to publish notices in the Federal Register. The Coast Guard believes sufficient notification is achieved by providing notice of the dates and times in a Coast Guard Notice to Mariners.

Regulatory Evaluation

This proposal is not a significant regulatory action under section 3(f) of Executive Order 12866, and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that no substantive changes are being made to the special local regulations and that notice of the events by Coast Guard Notice to Mariners will provide sufficient notice to waterways users.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000.

For the reasons discussed in the Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal will not have a significant

economic impact on a substantial number of small entities.

Collection of Information

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

Federalism

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612 and has determined that this proposal does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard has considered the environmental impacts of this proposal and concluded that, under paragraph 2.B.2.e.34(h) of COMDTINST 16475.1B, (as revised by 59 FR 38654, July 29, 1994) this proposal modifies special local regulations issued in conjunction with annually issued regatta or marine parade permits and is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 100

Marine safety, Navigation (water), Reporting and recordkeeping requirements, Waterways.

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 100 as follows:

PART 100—[AMENDED]

1. The authority citation for Part 100 continues to read as follows:

Authority: 33 U.S.C. 1233; 49 CFR 1.46 and 33 CFR 100.35.

2. Section 100.103 is amended by revising paragraph (b) as follows:

§ 100.103 National Sweepstakes Regatta, Redbank, NJ.

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(b) *Effective period.* This section is in effect from 8 a.m. to 6 p.m. annually on the third weekend in August. However, the requirements of this section may be waived by a Coast Guard Notice to Mariners.

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3. Section 100.107 is amended by revising paragraph (c) as follows:

§ 100.107 Windjammer Days, Boothbay Harbor, ME.

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(c) *Effective period.* This section is in effect from 2 p.m. to 10 p.m. annually on the second Tuesday in July. However, the requirements of this

section may be waived by a Coast Guard Notice to Mariners.

4. Section 100.108 is amended by revising paragraph (c) as follows:

§ 100.108 Great Kennebec River Whatever Race.

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(c) *Effective period.* This section is in effect from 6 a.m. to 6 p.m. annually on the first Sunday in July. However, the requirements of this section may be waived by a Coast Guard Notice to Mariners.

5. Section 100.109 is amended by revising paragraph (c) as follows:

§ 100.109 Whatever Festival Hydroplanes, Augusta, ME.

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(c) *Effective period.* This section is in effect annually on the fourth weekend in June. However, the requirements of this section may be waived by a Coast Guard Notice to Mariners.

6. Section 100.111 is amended by revising paragraph (c) as follows:

§ 100.111 Stonington Lobster Boat Races, Stonington, ME.

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(c) *Effective period.* This section is in effect from 10 a.m. to 4 p.m. annually on the third or fourth Saturday in July. However, the requirements of this section may be waived by a Coast Guard Notice to Mariners.

7. Section 100.505 is amended by revising paragraph (b) as follows:

§ 100.505 New Jersey Offshore Grand Prix.

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(b) *Effective period.* This section is in effect from 8 a.m. to 5 p.m. annually on the third Wednesday in July. However, the requirements of this section may be waived by a Coast Guard Notice to Mariners.

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Dated: March 4, 1996.

J.L. Linnon,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 96-6548 Filed 3-21-96; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[RI-18-01-7262b; A-1-FRL-5427-9]

Approval and Promulgation of Air Quality Implementation Plans; Rhode Island; Emissions Caps

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve a State Implementation Plan (SIP) revision submitted by the State of Rhode Island. This revision approves Air Pollution Control Regulation (APC) 29.3, entitled "Emissions Caps" into the Rhode Island SIP. EPA is also proposing to extend the federal enforceability of this regulation to hazardous air pollutants. In the Final Rules Section of this Federal Register, 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 and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives adverse comments, the direct final rule will be withdrawn 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 proposal. Any parties interested in commenting on this proposal should do so at this time.

DATES: Comments must be received on or before April 22, 1996.

ADDRESSES: Comments may be mailed to Dave Fierra, Director, Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, JFK Federal Bldg., Boston, MA 02203-2211. Copies of the State submittal and EPA's technical support document are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and the Division of Air and Hazardous Materials Department of Environmental Management, 291 Promenade Street, Providence, RI 02908.

FOR FURTHER INFORMATION CONTACT: Ida Gagnon (617) 565-3500.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is located in the Rules Section of this Federal Register.

Authority: 42 U.S.C. 7401-7671q.

Dated: January 30, 1996.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 96-6602 Filed 3-21-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[W164-01-7169b; FRL-5437-4]

Approval and Promulgation of State Implementation Plan; Wisconsin; Rate-of-Progress and Contingency Plans

AGENCY: United States Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: The USEPA is proposing to approve a revision to the Wisconsin State Implementation Plan (SIP) for the purpose of satisfying the rate-of-progress and contingency plan requirements of the Clean Air Act which will aid in ensuring the attainment of the national ambient air quality for ozone.

DATES: Comments on this proposed action must be received by April 22, 1996.

ADDRESSES: Written comments should be sent to: Carlton T. Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

SUPPLEMENTARY INFORMATION: For additional information, see the Direct Final rule which is located in the Rules section of this Federal Register. Copies of the request and the USEPA's analysis are available for inspection at the following address: (Please telephone Brad Beeson at (312) 353-4779 before visiting the Region 5 office.) USEPA, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604-3590.

Authority: 42 U.S.C. 7401-7671q.

Dated: January 26, 1996.

Valdas V. Adamkus,

Regional Administrator.

[FR Doc. 96-6780 Filed 3-21-96; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 74, 78, and 101

[ET Docket No. 96-35; FCC 96-80]

Flexible Standards for Directional Microwave Antennas

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: By this Notice of Proposed Rule Making ("NPRM"), the Commission proposes to amend its fixed service microwave rules to make them compatible with new, emerging technologies for directional antennas.