

Dated: January 23, 1995.

**Chuck Clarke,**

*Regional Administrator.*

[FR Doc. 95-3860 Filed 2-15-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[CA 102-6-6837b; FRL-5145-6]

### Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, Bay Area Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve a revision to the California State Implementation Plan (SIP), which concerns the control of volatile organic compound (VOC) emissions from valves and flanges at chemical plants.

The intended effect of proposing approval of this rule 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 in response to this proposed rule, no further activity is contemplated in relation to this 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 If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by March 20, 1995.

**ADDRESSES:** Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rule and EPA's evaluation report of the rule are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rule 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.  
Bay Area Air Quality Management District, 939 Ellis Street, San Francisco, CA 94109.

**FOR FURTHER INFORMATION CONTACT:**

Duane F. James, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1191.

**SUPPLEMENTARY INFORMATION:** This document concerns Bay Area Air Quality Management District's (BAAQMD) Rule 8-22, "Valves and Flanges at Chemical Plants," submitted to EPA on September 28, 1994, by the California Air Resources Board. For further information, please see the information provided in the Direct Final action which is located in the Rules section of this **Federal Register**.

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

Dated: January 17, 1995.

**Felicia Marcus,**

*Regional Administrator.*

[FR Doc. 95-3865 Filed 2-15-95; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Chapter I

[IC Docket No. 94-31; FCC No. 95-36]

### Preparation for International ITU World Radiocommunication Conferences

**AGENCY:** Federal Communications Commission.

**ACTION:** Second notice of inquiry.

**SUMMARY:** The International Telecommunication Union (ITU) will convene the 1995 World Radiocommunication Conference (WRC-95) from October 23 to November 17, 1995, in Geneva, Switzerland. The agenda for WRC-95 includes issues relating to the introduction of global mobile-satellite services (MSS); simplification of the international Radio Regulations; and agendas for future conferences. This proceeding addresses technical, regulatory, and procedural matters related to the WRC-95 agenda and solicits information to assist the Federal Communications Commission (FCC) in preparing U.S. proposals for that conference, including proposals for future conference agendas.

**DATES:** Comments must be filed on or before March 6, 1995, and reply comments must be filed on or before March 21, 1995.

**ADDRESSES:** Federal Communications Commission, 1919 M Street NW., Washington, DC 20554.

**FOR FURTHER INFORMATION CONTACT:**

Damon C. Ladson, International Bureau, (202) 739-0510, or Audrey L. Allison, International Bureau, (202) 739-0557.

**SUPPLEMENTARY INFORMATION:** This is a summary of the FCC's *Second Notice of Inquiry*, IC Docket No. 94-31, FCC No. 95-36, adopted January 30, 1995, and released January 31, 1995. The full text of this *Second Notice of Inquiry* is available for inspection during normal business hours in the Records Room of the Federal Communications Commission, Room 239, 1919 M St. NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, ITS, Inc., 2100 M St. NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

### Summary of Second Notice of Inquiry

1. The purpose of this proceeding is to solicit comments addressing technical, operational, regulatory and procedural matters relating to the WRC-95 agenda issues in order to assist the FCC in its preparation of draft recommended U.S. proposals for WRC-95. In the *Second Notice of Inquiry*, the FCC reviews comments and replies submitted in response to the initial *Notice of Inquiry* in this proceeding 59 FR 25873, May 18, 1994 and the interim report of the FCC's WRC-95 Industry Advisory Committee. The FCC seeks further comment on these matters and on the FCC draft recommended U.S. proposals for WRC-95 attached to the *Second Notice of Inquiry*. Presentation of the FCC's preliminary views on these topics is intended to stimulate discussions and is part of an overall effort to achieve early consensus on U.S. proposals to WRC-95.

2. WRC-95 will be the first conference under the ITU's new accelerated conference cycle to discuss substantive spectrum allocation and regulatory matters. This conference represents a significant opportunity to build a foundation for advancing near and long-term United States telecommunications goals. In particular, WRC-95 is critical to a new commercial telecommunications industry—the mobile-satellite services (MSS) industry, that includes low-Earth orbit (LEO) MSS systems. LEO systems can provide voice, data and other services at relatively low cost and will be a critical component in achieving the FCC's goals of universal service, open access and competition in the provision of services. The systems will be an important part of a new seamless, nationwide (and

eventually global) communication network. The new MSS industry also promises to stimulate significant economic growth both domestically and abroad. The FCC's proposals are intended to facilitate the implementation of competitive MSS operations by easing international technical and regulatory constraints and providing additional spectrum allocations.

3. In addition to seeking comment on specific MSS proposals, the FCC seeks input on other subjects raised in the first *Notice of Inquiry* and relating to the WRC-95 agenda including: space service allocation issues; review of Appendices 30 and 30A; availability of high frequency broadcasting bands; the Final Report of the Voluntary Group of Experts on simplifying the international Radio Regulations; and agendas for future WRCs. The FCC also asks parties to consider the long-range planning aspects of the ITU's new conference cycle including the FCC's conference preparatory methods.

4. Upon review of the comments received in response to the *Second Notice of Inquiry* and a final report from the WRC-95 Industry Advisory Committee, the FCC will issue a *Final Report* in this proceeding containing recommended U.S. proposals for the conference. The FCC will consult with the Department of Commerce's National Telecommunications and Information Administration and the Department of State to develop final U.S. proposals for WRC-95.

Federal Communications Commission.

**William F. Caton,**

Secretary.

[FR Doc. 95-3830 Filed 2-15-95; 8:45 am]

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## 47 CFR Part 1

[GC Docket No. 95-21; FCC 95-52]

### Ex Parte Presentations in Commission Proceedings

**AGENCY:** Federal Communications Commission.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Commission proposes to amend its regulations concerning ex parte presentations in Commission proceedings. The proposed rules would simplify the determination in particular proceedings of whether ex parte presentations are permissible and whether they must be disclosed. The proposed rules would also modify the Commission's "sunshine period prohibition." Additionally, the

proposed rules would modify in certain respects the procedures for reporting oral ex parte presentations and for handling potential violations of the rules. Certain other minor amendments of the rules are proposed. The intended effect of these proposals is to make the rules simpler and easier with which to comply, to enhance the fairness of the Commission's processes, and to facilitate the public's ability to communicate with the Commission.

**DATES:** Comments must be filed on or before March 16, 1995; reply comments must be filed on or before March 31, 1995.

**ADDRESSES:** Federal Communications Commission, 1919 M Street NW, Washington D.C. 20554.

**FOR FURTHER INFORMATION CONTACT:** David S. Senzel, Office of General Counsel (202) 418-1760.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's *Notice of Proposed Rulemaking*, GC Docket No. 95-21, adopted on February 7, 1995, and released February 7, 1995. The full text of the notice of proposed rulemaking is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street NW, Washington D.C. The complete text may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., Suite 140, 2100 M Street NW, Washington, D.C. 20037, telephone (202) 857-3800.

### Summary of Further Notice of Proposed Rule Making

1. In this notice, the Commission invites comment on proposals to revise its rules governing ex parte presentations in Commission proceedings. The Commission believes that the current rules continue to be excessively complex, making compliance difficult. Moreover, certain specific problem areas have become apparent.

2. The Commission proposes to revise its system for specifying whether proceedings are "restricted," "permit-but-disclose" or "exempt," which determine how ex parte presentations are treated in that proceeding (with certain exceptions). (An ex parte presentation is a communication to a Commission decisionmaker concerning the outcome or merits of a proceeding which—if written—is not served on all parties and—if oral—is made without notice and the opportunity for all parties to be present.) In restricted proceedings, ex parte presentations are prohibited. In non-restricted

proceedings, ex parte presentations are permitted but must be disclosed on the record of the proceeding. In exempt proceedings, ex parte presentations may be made without limitation. The Commission is proposing a simplified system that would permit people to rely on broad general rules to determine the status of a proceeding.

3. Under the proposed system, all proceedings not restricted or exempt would be subject to permit-but-disclose rules. The rules would generally classify as restricted only those proceedings required to be so classified by the Administrative Procedure Act (APA). This would include proceedings designated for hearing. Consistent with the APA, proceedings would also be restricted with respect to any person with knowledge that a designation order was in preparation. Additionally, proceedings involving mutually exclusive applications not subject to auction or lottery would be restricted. The Commission or a Bureau or Office after consultation with OGC could also classify individual proceedings as restricted on a case-by-case basis.

4. A few matters would continue to be expressly classified as exempt. These would include notice of inquiry proceedings and proceedings involving complaints which are not served on the target of the complaint.

5. All other proceedings, including informal adjudications (such as an application, waiver request, other filings seeking affirmative relief) and informal rulemakings, would be subject to permit-but-disclose rules when ex parte presentations are made. For the purposes of these ex parte rules, "parties" would be defined as those making filings which initiate adjudicatory-type proceedings and those who make written submissions regarding the filing party which are served on the filer. Parties also include other persons formally given party status, such as the subject of an order to show cause proceeding.

6. In addition, the proposed rules deal specifically with complaints. They provide that generally in complaint proceedings where the complaint is served on the target of the complaint, both the complainant and the target are parties. In formal section 208 proceedings, both the complainant and the carrier would be parties. Comment is requested on the treatment of informal section 208 complaints.

7. Under this proposal, a sole applicant or other uncontested filer could freely make presentations to the Commission about its filing. As long as no other party appeared, these presentations would not be "ex parte"