

40 CFR Parts 700 and 723

[OPPTS-50596C; FRL-4939-2]

RIN 2070-AC14

Premanufacture Notification and Exemptions; Notification of Technical Workshops**AGENCY:** Environmental Protection Agency (EPA).**ACTION:** Notice of technical workshops.

SUMMARY: EPA will hold technical workshops on the proposed revisions of the Toxic Substances Control Act (TSCA) section 5 premanufacture notification (PMN) regulations and exemptions for chemicals in quantities of 1,000 kilograms or less and for polymers, which were published in the **Federal Register** of February 8, 1993. EPA is conducting the workshops at the request of the Synthetic Organic Chemical Manufacturers Association and the Chemical Manufacturers Association to provide an opportunity for interested persons to become familiar with the technical provisions of the regulations which will affect the manufacture of new chemical substances. The workshops will address the eligibility criteria and other technical aspects of the proposed polymer exemption and low volume exemption rules, the "two percent" rule for polymers, and procedures for developing and submitting Chemical Abstracts names for new chemical substances.

DATES: The technical workshops will be held on March 14 and 21, 1995, from 12:30 p.m. to 5 p.m. in Washington, DC.

ADDRESSES: The March 14, 1995 meeting will be held at the Environmental Protection Agency, Education Center, 401 M St., SW., Washington, DC 20460. The March 21, 1995 meeting will be held at the General Services Administration, Regional Office Building Auditorium, Rm. 1041, First floor, National Capital Region, 7th and D Sts., SW., Washington, DC 20407.

FOR FURTHER INFORMATION CONTACT: James B. Willis, Acting Director, Environmental Assistance Division (7408), Office of Pollution Prevention and Toxics, Environmental Protection Agency, Rm. E-543B, 401 M St., SW., Washington, DC 20460, Telephone: (202) 554-1404, TDD: (202) 554-0551, Fax: (202) 554-5603. Persons wishing to attend the workshops should contact the office listed above and provide their name, organization, preferred meeting date, and a daytime telephone number.

SUPPLEMENTARY INFORMATION: In the **Federal Register** of February 8, 1993,

EPA published its proposed amendments to the PMN regulations, exemptions for chemicals in quantities of 1,000 kilograms or less (58 FR 7646), exemption for polymers (58 FR 7679), and an amendment to the expedited process for issuing SNURs (58 FR 7676). A public hearing on the proposed regulations was held on April 26 and 27, 1993, in Washington, DC. EPA expects to promulgate final regulations in the near future. The regulations would become effective 60 days following publication in the **Federal Register**.

List of Subjects in Parts 700 and 723

Environmental protection, Chemicals, Hazardous materials, Premanufacture notification, Reporting and recordkeeping requirements, Significant new use.

Dated: February 16, 1995.

Joseph A. Carra,

Acting Director, Office of Pollution Prevention and Toxics.

[FR Doc. 95-4473 Filed 2-22-95; 8:45 am]

BILLING CODE 6560-50-F

DEPARTMENT OF TRANSPORTATION**Coast Guard****46 CFR Parts 10 and 12**

[CGD 94-029]

RIN 2115-AE94

Modernization of Examination Methods**AGENCY:** Coast Guard, DOT.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to amend the rules that require Coast Guard-administered written examinations for merchant marine license and unlicensed rating applicants to remove references to "written" examinations and to broaden the scope of those authorized to perform the testing of applicants. These changes reflect the Coast Guard's efforts to develop alternative media testing and the use of private and public sector testing services for examination of these applicants. The development of more effective and modernized testing of applicants for merchant marine licenses and unlicensed ratings will enhance the safety of the maritime environment.

DATES: Comments must be received on or before May 24, 1995.

ADDRESSES: Comments may be mailed to the Executive Secretary, Marine Safety Council (G-LRA/3406) (CGD 94-029), U.S. Coast Guard Headquarters, 2100

Second Street SW., Washington, DC 20593-0001, or may be delivered to room 3406 at the same address between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays. The telephone number is (202) 267-1477.

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, between 8 a.m. and 3 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Mr. Robert S. Spears, Jr., Project Manager, Office of Marine Safety, Security, and Environmental Protection (G-MVP-3), (202) 267-0224.

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 rulemaking (CGD 94-029) and the specific section of this proposal to which each comment applies, and give the reason for each comment. Please submit two copies of all comments and attachments in an unbound format, no larger than 8 by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped, self-addressed postcards or envelopes.

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**. The request should include the reasons why a hearing would be beneficial. 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

The principal persons involved in drafting this document are Mr. Robert S. Spears, Jr., Project Manager, Office of Marine Safety, Security, and Environmental Protection, and Ms. Helen Boutrous, Project Counsel, Office of Chief Counsel.

Background and Purpose

Currently, Coast Guard regulations require that applicants for merchant

marine licenses and unlicensed ratings pass written examinations. During the latter part of 1993, the Coast Guard conducted focus group meetings and discussions which addressed the future of Coast Guard licensing. Specifically, the group looked at ways to improve and modernize merchant mariner examinations. Although the focus group was composed entirely of military and civilian Coast Guard members, maritime industry representatives are participating in the implementation of focus group report recommendations.

The "Licensing 2000 and Beyond" Focus Group Report (November, 1993), a copy of which is available in the public docket for this rulemaking [94-029] where indicated under ADDRESSES above, recommends that the Coast Guard's Marine Licensing Program adopt new methods of verifying competency, including practical demonstrations and the use of simulators. Practical demonstrations and simulators would provide more effective means of testing the skills of the applicants by requiring proper actions and reactions during real-time, real-world scenarios. Electronic methods of examination are employed by private and public sector organizations. There is increasing use of "Third or Fourth Party" testing systems that maximize the significant benefits new technology offers. The Focus Group Report defined a "Third Party" as one who trains or teaches the mariner, and a "Fourth Party" as someone, other than the Coast Guard or a Third Party trainer, who administers a test or makes a subjective judgement about the competency of an individual applicant. The Coast Guard is exploring the possibility of implementing electronic testing methods and the use of "Third-" or "Fourth-Party" testing services.

However, 46 CFR 10.205, 10.207, 10.901, 12.05-9, 12.10-5, 12.15-9, and 12.20-5, specify that applicants pass written (or oral) examinations. Because the Coast Guard is considering the use of other proven methods of proficiency testing which could significantly improve a very critical aspect of the Coast Guard's qualification system, this final rule removes the word "written" from the regulations governing merchant marine examinations and makes minor revisions to reflect the possible use of private and public sector testing services.

By a later notice in the **Federal Register**, the Coast Guard will provide results of its efforts to modernize the examinations and will describe the new examination methods before they are implemented.

Discussion of Proposed Rules

This NPRM proposes to remove the word "written" from the regulations pertaining to Coast Guard administered examinations for merchant marine license and raise of grade of license applicants (46 CFR 10.205(i)(1), 10.207(d)(1), 10.217(a)(1),(2), and 10.901(a)), and for unlicensed rating applicants (46 CFR 12.05-9(a) and (b), 12.10-5(a) and (b), 12.15-9(a) and (c), and 12.20-5). Also, minor revisions are proposed which would allow the Coast Guard Officer in Charge, Marine Inspection (OCMI) to authorize the testing of applicants through use of private and public sector testing services. These revisions reflect the Coast Guard's efforts to develop more modern, efficient, and effective examination methods.

Sections 12.05-9(b), 12.10-5(a), 12.15-9(a), and 12.20-5 regarding examinations for able seaman, lifeboatman, qualified member of the engine department and tankerman, respectively, continue to require that the examinations be conducted in the English language. This requirement continues to be necessary to ensure that personnel in these critical positions will sufficiently understand orders that could come under the stress of an emergency situation. The ability to understand orders under such conditions could make the critical difference in life-threatening situations.

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 not been reviewed 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 no economic impact from this rule, and a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The revisions made reflect the Coast Guard's efforts to improve and modernize examination methods for mariners. The revisions would result in no additional costs to the industry.

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. This proposal would place no additional costs on the public. Because it expects the impact of this 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.

Collection of Information

This proposal contains no new 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 it does not have sufficient implications for federalism to warrant the preparation of a Federalism Assessment. The authority to develop and administer examinations for merchant marine license and document applicants has been committed to the Coast Guard by Federal statutes. The Coast Guard does not expect this proposal to raise any preemption issues, however, the Coast Guard does intend to preempt State and local actions on the same subject matter.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under paragraph 2.B.2 of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. The proposal is an administrative matter within the meaning of paragraph 2.B.2.1. of Commandant Instruction M16475.1B that clearly has no environmental impact.

List of Subjects

46 CFR Part 10

Reporting and recordkeeping requirements, schools, Seamen.

46 CFR Part 12

Reporting and recordkeeping requirements, Seamen.

For the reasons set out in the preamble, the Coast Guard proposes to amend 46 CFR parts 10 and 12 as follows:

PART 10—LICENSING OF MARITIME PERSONNEL

1. The authority citation for part 10 continues to read as follows:

Authority: 31 U.S.C. 9701, 46 U.S.C. 2103, 7101, 7106, 7107; 49 CFR 1.45, 1.46; § 10.107 also issued under the authority of 44 U.S.C. 3507.

2. In § 10.205, paragraph (i)(1) is revised to read as follows:

§ 10.205 Requirements for original licenses and certificates of registry.

* * * * *

(i) *Professional Examination.* (1) When the applicant's experience and training are found to be satisfactory and the applicant is eligible in all other respects, the OCMI authorizes the examination of the applicant in accordance with the following requirements:

(i) Applicants for deck or engineer licenses limited to vessels not exceeding 500 gross tons, and licenses limited to uninspected fishing industry vessels, may request an oral-assisted examination in lieu of any written or otherwise textual examination(s). If there are textual questions these applicants have difficulty reading and understanding, the oral-assisted examination shall be offered. Any license based on oral-assisted examination is limited to the specific route and type of vessel upon which the majority of service was obtained.

(ii) The instructions for administration of examinations and the lists of subjects for all licenses are contained in subpart I of this part. A record indicating the subjects covered is placed in the applicant's license file.

* * * * *

3. In § 10.207, paragraph (d)(1) is revised to read as follows:

§ 10.207 Requirements for raise of grade of license.

* * * * *

(d) *Professional Examination.* (1) When an applicant's experience and training for raise of grade are found to be satisfactory and he or she is eligible in all other respects, the OCMI authorizes the examination of the applicant. Oral-assisted examinations may be administered in accordance with § 10.205(i)(1). A record indicating the subjects covered is placed in the applicant's license file. The general instructions and list of subjects are contained in subpart I of this part.

* * * * *

4. In § 10.217, the second sentences of paragraphs (a)(1) and (a)(2) are revised to read as follows:

§ 10.217 Examination procedures and denial of licenses.

(a)(1) * * * For a Coast Guard administered examination, the examination fee set out in § 10.109 must be paid prior to taking the first examination section. * * *

(2) * * * For a Coast Guard administered examination, the examination fee set out in § 10.109 must be paid prior to taking the first examination section. * * *

* * * * *

5. In § 10.901, paragraph (a) is revised to read as follows:

§ 10.901 General provisions.

(a) An applicant for any license listed in this part must pass examinations on the appropriate subjects listed in this subpart, except as noted in § 10.903(b).

* * * * *

PART 12—CERTIFICATION OF SEAMEN

6. The authority citation for part 12 continues to read as follows:

Authority: 31 U.S.C. 9701, 46 U.S.C. 2103, 2110, 7301, 7302; 49 CFR 1.46.

7. In § 12.05–9, paragraph (a) and the introductory language of paragraph (b) are revised to read as follows:

§ 12.05–9 Examination and demonstration of ability.

(a) Before an applicant is certified as able seaman, he or she shall prove to the satisfaction of the Coast Guard by oral or other means of examination and by actual demonstration, his or her knowledge of seamanship and the ability to carry out effectively all the duties that may be required of an able seaman, including those of a lifeboatman. The applicant shall demonstrate that he or she—

(1) Has been trained in all the operations connected with the launching of lifeboats and liferafts, and the use of oars and sails;

(2) Is acquainted with the practical handling of boats; and

(3) Is capable of taking command of the boat's crew.

(b) The examination, whether administered orally or by other means, shall be conducted only in the English language and shall consist of questions regarding:

* * * * *

8. In § 12.10–5, paragraph (a) and the introductory language of paragraph (b) are revised to read as follows:

§ 12.10–5 Examination and demonstration of ability.

(a) Before a lifeboatman's certificate may be granted, he or she shall prove to

the satisfaction of the Coast Guard by oral or other means of examination and by actual demonstration, his or her knowledge of seamanship and the ability to carry out effectively all the duties that may be required of an able seaman, including those of a lifeboatman. The applicant will demonstrate that he or she—

(1) Has been trained in all the operations connected with the launching of lifeboats and liferafts, and the use of oars and sails;

(2) Is acquainted with the practical handling of boats; and

(3) Is capable of taking command of the boat's crew.

(b) The examination, whether administered orally or by other means, shall be conducted only in the English language and shall consist of questions regarding:

* * * * *

9. In § 12.15–9, the first sentence of paragraph (a), and paragraph (c) are revised to read as follows:

§ 12.15–9 Examination requirements.

(a) An applicant for certification as a qualified member of the engine department in the ratings of oiler, watertender, fireman, deck engineer, refrigeration engineer, junior engineer, electrician, and machinist shall be examined orally or by other means and only in the English language on the subjects listed in paragraph (b) of this section. * * *

* * * * *

(c) An applicant for certification as a qualified member of the engine department in the ratings of pumpman shall, by oral or other examination, demonstrate sufficient knowledge of the subjects peculiar to that rating to satisfy the Officer in Charge, Marine Inspection, that he or she is qualified to perform the duties of that rating.

* * * * *

10. In § 12.20–5, the first sentence is revised to read as follows:

§ 12.20–5 Examination requirements.

Any applicant for certification as tankerman must prove to the satisfaction of the Coast Guard by oral or other examination conducted only in the English language that he or she is familiar with the general arrangement of cargo tanks, suction and discharge pipelines and valves, cargo pumps and cargo hose, and has been properly trained in the actual operation of cargo pumps, all other operations connected with the loading and discharging of cargo, and the use of fire-extinguishing equipment. * * *

Dated: February 16, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 95-4406 Filed 2-22-95; 8:45 am]

BILLING CODE 4910-14-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[CI Docket No. 95-6, FCC 95-24]

Practice and Procedure

AGENCY: Federal Communications Commission.

ACTION: Notice of proposed rulemaking.

SUMMARY: The FCC proposes to amend its regulations regarding forfeitures by adding a note incorporating guidelines for assessing forfeitures. This action is being taken in response to a decision by the United States Court of Appeals for the District of Columbia which vacated the Commission's 1993 Forfeiture Policy Statement because the Court found it should have been subject to Notice and Comment rulemaking proceedings. The Commission is requesting comments on the advantages or disadvantages of adopting forfeiture guidelines, and on the reasonableness of proposed base forfeiture amounts applicable to violations in the various services.

DATES: All comments must be received by March 27, 1995. Reply comment period April 17, 1995.

ADDRESSES: Comments must be submitted by sent to the Office of the Secretary, Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Magalie Salas, (202) 418-1150, or Ana Curtis, (202) 418-1160, Compliance and Information Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rulemaking, adopted January 13, 1995, and released on February 10, 1995. The complete text of this Commission action is available for copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW, Washington, D.C., 20554. The complete text of this Notice of Proposed Rulemaking may also be purchased from the Commission's copy contractor, International Transcription Services, Inc. (ITS), 2100 M Street, NW, Suite 140, Washington, D.C. 20037, telephone number (202) 857-3800.

Summary of Notice of Proposed Rulemaking

1. The Commission is proposing forfeiture guidelines which would be used to aid the Commission in determining the appropriate range of forfeitures for various offenses, ensure treatment of similarly situated offenders and provide clearer guidance to the public regarding the forfeitures that can be expected in response to specific violations.

2. If adopted, § 1.80 of the Communication's rules would be amended to include a note incorporating the 1993 version of the Commission's Forfeiture Policy Statement, see Policy Statement, Standards for Assessing Forfeitures, 6 FCC Rcd 4695 (1991), recon. denied, 7 FCC Rcd 5339 (1992), revised, 8 FCC Rcd 6215 (1993).

List of Subjects in 47 CFR Part 1

Administrative practice and procedure, Penalties.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 95-4330 Filed 2-22-95; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 68

[CC Docket No. 94-102: DA 95-141]

Ensuring Compatibility With Enhanced 911 Emergency Calling Systems

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; extension of time for reply comments.

SUMMARY: By Order adopted February 1, 1995, the Commission granted a request for extension of time of the reply comment period in this proceeding concerning enhanced 911 emergency calling systems. This action was taken as a result of motions filed by the Personal Communications Industry Association (PCIA) and the Association of Public-Safety Communications Officials-International, Inc. (APCO). Intended effect of action is to develop a more complete record.

DATES: Reply comments are due on or before March 17, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Alan A. Thomas, Domestic Services Branch, Common Carrier Bureau, telephone (202) 634-1802.

SUPPLEMENTARY INFORMATION: This is a summary to two Motions for Extension

of Time for filing reply comments to the Commission's Notice of Proposed Rule Making (NPRM) in CC docket No. 94-102, released October 19, 1994 [59 FR 54878, November 2, 1994.] The comment date was January 9, 1995, and the original reply comment date was February 8, 1995. The Commission noted that extension of time are not routinely granted; however, the public safety issues in this proceeding are obvious and significant. Given the over 1500 pages already filed, the Commission agreed that it would be in the public interest to extend the time in which to file reply comments.

Federal Communications Commission.

Kathleen M.H. Wallman,

Cheif, Common Carrier Bureau.

[FR Doc. 95-4331 Filed 2-22-95; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

50 CFR Part 17

Endangered and Threatened Wildlife and Plants; 12-Month Finding for a Petition to List the Alexander Archipelago Wolf as Threatened

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of 12-month petition finding.

SUMMARY: The Fish and Wildlife Service (Service) announces a 12-month finding for a petition to list the Alexander Archipelago wolf (*Canis lupus ligoni*) under the Endangered Species Act, as amended. After review of all available scientific information, the Service finds that listing this species is not warranted at this time.

DATES: The finding announced in this document was made on February 15, 1995.

ADDRESSES: Comments and materials concerning this petition should be sent to U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska, 99503. Comments and materials received will be available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Janet Hohn, Assistant Regional Director, Ecological Services (see ADDRESSES section) (telephone 907/786-3544).