

(vi) The first month in which you failed without good cause to do what we asked, when the rule set out in paragraph (b)(4)(ii) of this section applies.

* * * * *

12. The authority citation for Subpart M of Part 416 continues to read as follows:

Authority: Secs. 1102, 1611–1615, 1619 and 1631 of the Social Security Act; 42 USC 1302, 1382–1382d, 1382h, 1383.

13. Section 416.1331 is amended by revising paragraph (a) to read as follows:

§ 416.1331 Termination of your disability or blindness payments.

(a) *General.* The last month for which we can pay you benefits based on disability is the second month after the first month in which you are determined to no longer have a disabling impairment (described in § 416.911). (See § 416.1338 for an exception to this rule if you are participating in an appropriate vocational rehabilitation program, and § 416.261 for an explanation of special benefits to which you may be entitled.) The last month for which we can pay you benefits based on blindness is the second month after the month in which your blindness ends (see § 416.986 for when blindness ends). You must meet the income, resources, and other eligibility requirements to receive any of the benefits described in this paragraph. We will also stop payment of your benefits if you have not cooperated with us in getting information about your disability or blindness.

* * * * *

[FR Doc. 95–5171 Filed 3–3–95; 8:45 am]

BILLING CODE 4190–29–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05–94–092]

Drawbridge Operation Regulations; New Jersey Intracoastal Waterway, Beach Thorofare, NJ

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the National Railroad Passenger Corporation (AMTRAK), the Coast Guard is considering a change to the regulations governing operation of the AMTRAK/New Jersey Transit Rail Operation (NJTRO) drawbridge across the Beach Thorofare, at New Jersey Intracoastal

Waterway, mile 68.9, at Atlantic City, New Jersey, by permitting the bridge to be operated remotely from AMTRAK's Philadelphia office. This proposal is being made in an effort to combine bridge tender and dispatcher positions, enhance rail safety and operation, and reduce operating costs. This action should relieve AMTRAK of the burden of having to man the bridge constantly to open the draw, and should still provide for the reasonable needs of navigation.

DATES: Comments must be received on or before June 5, 1995.

ADDRESSES: Comments may be mailed to Commander (ob), Fifth Coast Guard District, c/o Commander (obr), First Coast Guard District, Bldg. 135A, Governors Island, New York 10004–5073.

Any comments received will become part of this docket and will be available for inspection and copying by appointment at Bldg. 135A, Governors Island, New York 10004–5073. Normal office hours are between 7 a.m. and 3:30 p.m., Monday through Fridays, except Federal holidays. Comments may also be hand-delivered to this address.

FOR FURTHER INFORMATION CONTACT: Gary Kassaf, Bridge Administrator—NY, Fifth Coast Guard District, (212) 668–7069, 668–7021, or 668–7165.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD05–94–092), and the specific section of this 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 unbound format suitable for copying and electronic filing. If not practical, a second copy of any bound material is requested. Persons desiring acknowledgment that their comments have been received 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 proposal in view of the comments received.

The Coast Guard plans no public hearing. Persons may request a public hearing by writing to the Commander (ob) at the address under **ADDRESSES**. The request should include 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 to be announced by a later notice in the **Federal Register**.

Drafting Information

The drafters of this notice are Mr. J. Arca, Fifth Coast Guard District, Bridge Branch—NY, Project Officer, and LCDR C.A. Abel, Fifth Coast Guard District Legal Office, Project Attorney.

Background and Purpose

A permit was issued by the Coast Guard on December 20, 1988, to replace and slightly raise the superstructure of the Beach Thorofare bridge. The new drawbridge provides a vertical clearance of 4 feet at mean high water and 9 feet at mean low water when in the closed position. Prior to its rehabilitation in 1988, the old bridge was left in the open position and unused for 5 to 10 years. However, the regulations governing operation of this bridge require that the bridge open on signal from 11 p.m. to 6 a.m. From 6 a.m. to 11 p.m., the draw is required to open on signal from 20 minutes to 30 minutes after each hour and remain open for all waiting vessels. As a result of the rehabilitation and replacement work, the bridge now operates according to the published regulations, and AMTRAK seeks to operate the bridge remotely from its Philadelphia office.

The Beach Thorofare section of the New Jersey Intracoastal Waterway is used primarily by recreational power boats ranging in length from eighteen (18) to thirty-eight (38) feet. The bridge is required to open for vessel traffic infrequently during the winter months. The number of openings increases during the normal season boating season. However, the number of openings is not excessive. During the period from February 1994 through June 1994, drawlogs for the Beach Thorofare Bridge show the bridge averaged 1 opening per day in February; 1 or 2 openings per day in March; 2 openings per day in April; 6 openings per day in May; and 7 openings per day in June. During the same 5 month period, data provided by AMTRAK shows the number of trains per month crossing the bridge in both directions remained fairly constant, averaging between 900 and 1000 trains per month. The vast majority of these trains are passenger/shuttle type trains transporting persons wishing to visit Atlantic City, New Jersey. Train traffic across the bridge is proportionately much heavier than waterway traffic requiring openings of the bridge. Because of the relatively few requests for bridge openings, AMTRAK

would like to combine the bridge tender and train dispatcher positions in its Philadelphia office. By controlling openings of the bridge and movement of trains across the bridge from one location, AMTRAK can reduce operating costs and still closely monitor operations at the bridge.

The Coast Guard has no record of any vessel allisions with this bridge. The vessels that do use this waterway are relatively small, and it is unlikely that they could create major damage to the bridge even if a vessel/bridge allision did occur. Therefore, safety does not appear to be a concern in the evaluation of this request.

The proposed change establishes procedures and criteria for remote operation of the drawbridge, while providing mariners warning of this operation and a 24 hour-a-day point of contact for normal or emergency operation.

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 of this proposal 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 the regulation will not prevent mariners from transiting the Beach Thorofare Bridge, nor will it change the present opening schedule. Rather, it will permit the bridge owner to operate the bridge remotely.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that otherwise qualify as "small business

concern" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impacts 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 collection of information requirements under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

Federalism

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

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.B.2.e(32)(e) of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement and checklist has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 117 of title 33, Code of Federal Regulations, as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g).

2. Section 117.733(e) is revised to read as follows:

§ 117.733 New Jersey Intracoastal Waterway

* * * * *

(e) The draw of the AMTRAK New Jersey Transit Rail Operation (NJTRO)

automated railroad swing bridge, mile 68.9, across Beach Thorofare at Atlantic City shall operate as follows:

(1) Open on signal from 11 p.m. to 6 a.m. From 6 a.m. to 11 p.m., the draw shall open on signal from 20 minutes to 30 minutes after each hour and remain open for all waiting vessels.

(2) Opening of the draw span may be delayed for ten minutes except as provided in § 117.31(b). However, if a train is moving toward the bridge and has crossed the home signal for the bridge before the signal requesting opening of the bridge is given, that train may continue across the bridge and must clear the bridge interlocks before stopping.

(3) When the bridge is not tended locally and/or is operated from a remote location, sufficient, closed-circuit TV cameras shall be operated and maintained at the bridge site to enable the remotely located bridge/train controller to have full view of both river traffic and the bridge.

(4) Radiotelephone Channel 13 (156.65 Mhz) and 16 (156.8 Mhz) VHF-FM, shall be maintained and utilized to facilitate communication in both remote and local control locations. The bridge also shall be equipped with directional microphones and horns to receive and deliver signals to vessels within a mile that are not equipped with radiotelephones.

(5) Whenever the remote control system equipment is partially disabled or fails for any reason, the bridge shall be physically tended and operated from local control. Personnel shall be dispatched to arrive at the bridge as soon as possible but not more than one hour after malfunction or inoperation of the remote system. Mechanical by-pass and override capability for remote operation shall be provided and maintained.

(6) When the draw is opening, being closed, or is closed, yellow flashing lights located on the ends of the center piers shall be displayed continuously until the bridge is in the fully open position.

* * * * *

3. Appendix A to part 117 is amended by adding a new entry under the State of New Jersey in alphabetical order to read as follows: New Jersey Intracoastal Waterway.

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

Waterway	Mile	Location	Bridge name and owner	Call sign	Calling channel	Working channel
* * NEW JERSEY	*	*	*	*	*	*
New Jersey Intracoastal Waterway. (Beach Thorofare)	68.9	Atlantic City	AMTRAK	WXZ 528.	13	13
* * 	*	*	*	*	*	*

Dated: February 3, 1995.
W.J. Ecker,
*Rear Admiral, U.S. Coast Guard, Commander
 Fifth Coast Guard District.*
 [FR Doc. 95-5386 Filed 3-3-95; 8:45 am]
 BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[CA 95-3-6638b; FRL-5160-1]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; San Joaquin Valley Unified Air Pollution Control District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) that concern the control of volatile organic compound (VOC) emissions from in-situ combustion well vents. 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 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 April 5, 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 revisions and EPA's evaluation report of each rule are available for public inspection at EPA's Region IX office during normal business hours. Copies of the submitted rule revisions 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.

San Joaquin Valley Unified Air Pollution Control District, 1999 Tuolumne Street, Suite 200, Fresno, California 93721.

FOR FURTHER INFORMATION CONTACT: Mae Wang, Rulemaking Section (A-5-3), Air and Toxics Division, U.S.

Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1200.

SUPPLEMENTARY INFORMATION: This document concerns San Joaquin Valley Unified Air Pollution Control District Rule 4407, In-Situ Combustion Well Vents, submitted to EPA on July 13, 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: February 8, 1995.

Felicia Marcus,
Regional Administrator.

[FR Doc. 95-5343 Filed 3-3-95; 8:45 am]

BILLING CODE 6560-50-W

40 CFR Part 52

[IL99-01-6621, IN46-01-6622, MI33-01-6626, WI47-01-6627; FRL-5165-1]

Approval of a Section 182(f) Exemption; Illinois, Indiana, Michigan, and Wisconsin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On July 13, 1994, the States of Illinois, Indiana, Michigan, and Wisconsin (the States) submitted to the EPA a petition (the petition) for an exemption from the requirements of section 182(f) of the Clean Air Act (Act). The States, acting through the Lake Michigan Air Directors Consortium (LADCo), are petitioning for an exemption from the Reasonably Available Control Technology (RACT) and New Source Review (NSR) requirements for major stationary sources of oxides of nitrogen (NO_x). In the Lake Michigan Ozone Study (LMOS) modeling domain, the RACT requirements apply to major stationary sources of NO_x located in areas currently classified as moderate and above nonattainment for ozone. The NSR requirements apply to major stationary sources of NO_x located in areas currently classified as marginal and above nonattainment for ozone. The petition also seeks an exemption from the transportation and general conformity requirements for NO_x in all ozone nonattainment areas in the modeling domain. Although the petition does not specifically request an exemption from the Inspection/Maintenance (I/M) program requirements, the approval of the petition will impact the I/M NO_x