

part of the area's control strategy. The SIP must provide that these measures take effect without further action by the State or EPA, upon a determination by EPA that the area has failed to make RFP or attain the PM-10 NAAQS by the applicable statutory deadline.

Allegheny County's SIP submittal does not contain contingency measures. On January 18, 1994, EPA formally found that the Commonwealth of Pennsylvania had not submitted contingency measures to EPA for the Liberty Borough area as required by the Act.⁷ This finding started the eighteen-month and 24-month sanctions clocks pursuant to section 179(a) of the Act. Also, section 110(c) requires that EPA promulgate a federal implementation plan (FIP) no later than two years after making a finding under section 179(a). Today's rulemaking has no effect on the January 18 finding or the associated sanctions and FIP clocks. The sanction clock will continue to run until EPA receives a complete SIP submittal of the contingency measures, and the FIP clock will continue to run until EPA approves those contingency measures.

Proposed Action

EPA is proposing to approve the PM-10-related revisions to the Allegheny County portion of the Pennsylvania SIP submitted to EPA on November 14, 1988,⁸ January 12, 1993, and January 13, 1994.

Federally-approved state implementation plan must be in conformance with the provisions of the 1990 amendments enacted on November 15, 1990. The Agency has determined that Pennsylvania's November 14, 1988 submittal conforms with those requirements irrespective of the fact that the submittal preceded the date of enactment.

Nothing in this action should be construed as permitting or allowing or establishing a precedent for any future request for revision to any state implementation plan. Each request for revision to the state implementation plan shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis

assessing the impact of any proposed or final rule on small entities (5 U.S.C. 603 and 604). Alternatively, EPA may certify that the rule will not have a significant impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act do not create any new requirements but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP approval does not impose any new requirements, the Administrator certifies that it does not have a significant impact on any small entities affected. Moreover, due to the nature of the Federal-State relationship under the Act, preparation of a flexibility analysis would constitute Federal inquiry into the economic reasonableness of state action. The Clean Air Act forbids EPA to base its actions concerning SIPs on such grounds (*Union Electric Co. v. U.S. EPA*, 3427 U.S. 246, 255-66 (1976); 42 U.S.C. 7410(a)(2)).

This action to propose approval of the PM-10 SIP for Allegheny County, Pennsylvania has been classified as a Table 2 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by an October 4, 1993 memorandum from Michael H. Shapiro, Acting Assistant Administrator for Air and Radiation. The OMB has exempted this regulatory action from E.O. 12866 review.

The Administrator's decision to approve or disapprove the SIP revision will be based on whether it meets the requirements of section 110(a)(2) (A)-(K) and part D of the Clean Air Act, as amended, and EPA regulations in 40 CFR part 51.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Hydrocarbons, Incorporation by reference, Nitrogen dioxide, Particulate matter, Reporting and recordkeeping requirements, Sulfur oxides.

Dated: March 21, 1995.

Stanley Laskowski,

Acting Regional Administrator, Region III.
[FR Doc. 95-8883 Filed 4-10-95; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

49 CFR Chapter II

[RSI-95-1]

Regulatory Review

AGENCY: Federal Railroad Administration (FRA), DOT.

ACTION: Notice of meetings; request for comments.

SUMMARY: The Federal Railroad Administration invites all individuals affected by the rail safety regulatory program to discuss the agency's regulations and enforcement policies during two open forums to be convened in April. In addition, FRA invites written comment on ways to improve the safety regulatory program to make it more flexible, performance-oriented and cost-effective.

DATES: Public meetings will be held in Chicago, IL on April 20, 1995 and in Newark, N.J. on April 25, 1995. Written comments must be submitted to the FRA by May 5, 1995.

ADDRESSES: Public meetings: The Chicago, IL meeting will be held in the Tower's West room of the Knickerbocker Hotel, 163 E. Walton Place, from 9:00 a.m. to 1:00 p.m. The Newark, NJ meeting will be held in the Crystal Room of the Robert Treat Hotel, 50 Park Place, (about 5 minutes from Pennsylvania Station) from 10:00 a.m. to 2:00 p.m.

Written Comments: Written comments should identify the docket number and the notice number and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, U.S. Department of Transportation, 400 7th Street, S.W., Room 8201, Washington, D.C. 20590-0001. Persons desiring to be notified that their written comments have been received by FRA should submit a self-addressed, stamped postcard with their comments. The Docket Clerk will indicate on the postcard the date on which the comments were received and will return the card to the addressee. Written comments will be available for examination, both before and after the closing date for comments, during regular business hours in Room 8201 of the Nassif Building at the above address.

FOR FURTHER INFORMATION CONTACT: Ed English, Office of Safety Enforcement, Federal Railroad Administration, 400 7th Street, S.W., Washington, D.C. 20590, 202-366-9252, or Lisa Levine, Office of Chief Counsel, Federal

⁷January 18, 1994 letter from Stanley L. Laskowski, Acting Regional Administrator, EPA Region III to Governor Robert P. Casey.

⁸EPA has determined that this submittal conforms with the requirements of the Act, irrespective of the fact that the submittal preceded the date of enactment of the Clean Air Act Amendments of 1990.

Railroad Administration, 400 7th Street, S.W., Washington, D.C. 20590, 202-366-4781.

SUPPLEMENTARY INFORMATION: Building on the regulatory philosophy set forth in Executive Order No. 12866, President Clinton recently asked Executive Branch agencies to report to him by June 1, 1995 on ways to improve the regulatory process. Specifically, the President requested that agencies: [1] Cut obsolete regulations; [2] reward agency and regulator performance by rewarding results instead of red tape; [3] create grassroots partnerships by meeting, outside of Washington, D.C., with those affected by regulations; and [4] use consensual rulemaking, such as regulatory negotiation, more frequently. This notice solicits comments and announces public outreach responsive to the President's directives.

FRA is committed to a railroad regulatory program that achieves safety goals while being cost-effective, user-friendly and customer-focused. Consistent with the President's Initiative, our 1995 Safety Action Plan aspires to cut red-tape, improve communications, foster cooperation and emphasize performance-oriented decision making with:

- Annual safety plans from each major railroad developed consensually with management, labor and FRA;
- Uniform and consistent safety assurance methods;
- Continued efforts to improve the effectiveness of our communications and customer response; and
- Streamlining of our regulatory process with a focus on data-based decision making.

Through roundtables, innovative rulemaking procedures (including negotiated rulemaking), and direct contacts with industry groups, FRA seeks to ensure open lines of communication and active collaboration of all affected persons in the development of its safety programs.

In response to the President's initiative, FRA invites participation from the regulated community in the creation of grassroots partnerships. The meetings in Chicago and Newark will be informal, intended to produce a dialogue between agency regulators and those persons directly affected by the rail safety program and regulations. These public forums are intended to elicit information and views at a grassroots level—from working railroad employees, supervisors and managers in those major railroad terminal areas.

Because FRA believes the President's call for regulatory review provides rich opportunities for eliminating or

improving regulations, FRA is seeking comments, either at the public meetings or in writing, discussing methods of improving the regulations to make the rail safety program more performance-oriented, flexible and cost-effective. Any comments should contain a current priority order for those areas in need of improvement. By focusing on matters of greatest concern to those who carry regulatory burdens, FRA can best balance its responsibilities for regulatory reinvention and completion of statutorily mandated rulemaking proceedings.

Donald M. Itzkoff,

Deputy Administrator.

[FR Doc. 95-8983 Filed 4-10-95; 8:45 am]

BILLING CODE 4910-06-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 642

[ID. 040595A]

Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; 1995-96 King and Spanish Mackerel Specifications; Hearing

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Public hearing.

SUMMARY: The South Atlantic Fishery Management Council (Council) will hold a public hearing on the total allowable catch, quotas, and bag limits for king and Spanish mackerel for the 1995-96 fishing year.

DATES: The hearing will be held on Thursday, April 13, 1995 at 4 p.m.

ADDRESSES: The hearing will be held at the Holiday Inn Savannah- Midtown, 7100 Abercorn Expressway, Savannah, GA 31406; telephone: 1-800-255-8268 or 1-912-352-7100.

Requests for special accommodations may be sent to the South Atlantic Fishery Management Council; One Southpark Circle, Suite 306, Charleston, SC 29407-4699.

FOR FURTHER INFORMATION CONTACT:

Sharon Coste, South Atlantic Fishery Management Council, telephone: 1-803-571-4366 or fax: 1-803-769-4520.

SUPPLEMENTARY INFORMATION: This public hearing is being held in conjunction with public meetings held by the Council on April 10-14, 1995. The hearing will be held to receive

comments on the total allowable catch, quotas, and bag limits for king and Spanish mackerel for the 1995-96 fishing year. These measures will be developed by the Council according to framework regulatory procedures established by the Fishery Management Plan for Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic. Under this procedure, the Council will submit proposed measures to NMFS for review, approval, and implementation. NMFS' review will involve a public comment period before final agency action.

This meeting is physically accessible to people with disabilities. Requests for sign language interpretation or other auxiliary aids should be directed to the Council office (see ADDRESSES).

Authority: 16 U.S.C. 1801 *et seq.*

Dated: April 5, 1995.

Richard W. Surdi,

Acting Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-8908 Filed 4-10-95; 8:45 am]

BILLING CODE 3510-22-F

50 CFR Part 655

[I.D. 032895B]

Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan; Public Hearings; Supplement 1 to Amendment 5

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Public hearings; request for comments.

SUMMARY: The Mid-Atlantic Fishery Management Council (Council) will hold public hearings to allow for input on Supplement 1 to Amendment 5 to the Fishery Management Plan for the Atlantic Mackerel, Squid, and Butterfish Fishery. The Council will also accept comments prepared for Amendment 7 for inclusion in the Environmental Impact Statement on the matters contained in Supplement 1.

DATES: Written comments must be received by May 1, 1995. The hearings are scheduled as follows:

1. April 18, 1995, 7 p.m., Virginia Beach, VA;
2. April 24, 1995, 7 p.m., Galilee, RI;
3. April 25, 1995, 7 p.m., Cape May Courthouse, NJ.

ADDRESSES: Send written comments to David R. Keifer, Executive Director, Mid-Atlantic Fishery Management