

Issued this 24th day of November at Washington, DC.

Mortimer L. Downey,  
Deputy Secretary of Transportation.

For the reasons set forth in the preamble, the Office of the Secretary of the U.S. Department of Transportation proposes to amend 33 CFR Part 52 as follows:

#### **PART 52—[AMENDED]**

1. The authority citation for Part 52 is revised to read as follows:

Authority: 10 U.S.C. 1552; 49 U.S.C. 108; Pub. L. 101-225, 103 Stat. 1908, 1914.

2. Section 52.67 is revised to read as follows:

##### **§ 52.67 Reconsideration.**

(a) Reconsideration of an application for correction of a military record shall occur if an applicant requests it and the request meets the requirements set forth in paragraph (a)(1) or (a)(2) of this section.

(1) An applicant presents evidence or information that was not previously considered by the Board that could result in a determination other than that originally made. Evidence or information may only be considered if it could not have been presented to the Board prior to its original determination if the applicant had exercised reasonable diligence; or

(2) An applicant presents evidence or information that the Board, or the Secretary as the case may be, committed legal or factual error in the original determination that could have resulted in a determination other than that originally made.

(b) The Chairman shall docket a request for reconsideration of a final decision if it meets the requirements of paragraph (a)(1) or (a)(2) of this section. If neither of these requirements is met, the Chairman shall not docket such request.

(c) The Board shall consider each application for reconsideration that has been docketed. None of the Board members who considered an applicant's original application for correction shall participate in the consideration of that applicant's application for reconsideration.

(d) Action by the Board on a docketed application for reconsideration is subject to § 52.64(b).

(e) An applicant's request for reconsideration must be filed within two years after the issuance of a final decision, except as otherwise required by law. If the Chairman docketed an applicant's request for reconsideration, the two-year requirement may be

waived if the Board finds that it would be in the interest of justice to consider the request despite its untimeliness.

[FR Doc. 95-29345 Filed 12-8-95; 8:45 am]

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#### **ENVIRONMENTAL PROTECTION AGENCY**

##### **40 CFR Part 52**

[SC-029-1-7177b; FRL-5316-6]

#### **Approval and Promulgation of Implementation Plans State of South Carolina's State Implementation Plan (SIP)**

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

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of South Carolina for the purpose of establishing a Federally enforceable state construction and operating permit (FESCOP) program. In order to extend the Federal enforceability of South Carolina's FESCOP to hazardous air pollutants (HAPs), EPA is also proposing approval of South Carolina's FESCOP regulations pursuant to section 112 of the Clean Air Act as amended in 1990 (CAA). 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 amendment 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 document. Any parties interested in commenting on this document should do so at this time.

**DATE:** To be considered, comments must be received by January 10, 1996.

**ADDRESSES:** Written comments should be addressed to: Scott Miller, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365.

Copies of the material submitted by the State of South Carolina may be

examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365.

South Carolina Department of Health and Environmental Control, 2600 Bull Street, Columbia, South Carolina 29201.

#### **FOR FURTHER INFORMATION CONTACT:**

Scott Miller, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street, NE, Atlanta, Georgia 30365. The telephone number is 404/347-3555 extension 4153.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct final rule which is published in the rules section of this Federal Register.

Dated: September 20, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

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#### **FEDERAL COMMUNICATIONS COMMISSION**

##### **47 CFR Part 64**

[CC Docket No. 91-281; FCC 95-480]

#### **Calling Number Identification Service—Caller ID**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** On November 30, 1995, the Commission adopted a Fourth Notice of Proposed Rulemaking (Fourth NPRM) addressing numerous petitions for waiver of its Caller ID rules. The Fourth NPRM is intended to address issues associated with requiring carriers to deploy blocking capabilities. It seeks comment on whether local exchange carriers (LECs) must pass calling party number (CPN) if they use particular switches that do not have CLASS software installed.

**DATES:** Comments must be filed on or before December 27, 1995, and reply comments must be filed on or before January 10, 1996.

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