

regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a "Significant Regulatory Action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (Air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—[AMENDED]

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g); 40103, 40113, 40120; EO 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9C, Airspace Designations and Reporting Points, dated August 17, 1995, and effective September 16, 1995, is amended as follows:

Paragraph 6005 Class E Airspace Areas Extending Upward From 700 Feet Above the Surface of the Earth.

* * * * *

ASO GA E5 Brunswick, GA [Revised]
Brunswick/Malcom-McKinnon Airport, GA
(Lat. 31°09'06" N, long. 81°23'29")
Brunswick/Glynco Jetport Airport
(Lat. 31°15'33" N, long. 81°27'59" W)
Jekyll Island Airport
(Lat. 31°04'28" N, long. 81°25'40" W)

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Malcolm-McKinnon Airport and within a 7-mile radius of the Glynco Jetport Airport and within a 6.3-mile radius of the Jekyll Island Airport and within 2.4 miles each side of the Brunswick VOR 217° radial, extending from the 6.3-mile radius to 7 miles southwest of the VOR.

* * * * *

Issued in College Park, Georgia, on January 9, 1996.

Benny L. McGlamery,
*Acting Manager, Air Traffic Division,
Southern Region.*

[FR Doc. 96–851 Filed 1–22–96; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Parts 1910, 1915, and 1926

[Docket No. H–049]

RIN 1218–0099

Respiratory Protection

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Extension of the time period for submission of public comments on a report by M. Nicas.

SUMMARY: OSHA is extending the time period originally specified in 60 FR 56127 for receiving public comment on the Nicas Report.

DATES: Written comments must be postmarked to OSHA on or before January 29, 1996.

ADDRESSES: Comments must be submitted in quadruplicate or 1 original (hardcopy) and 1 disk (5¼ or 3½ inch) in WordPerfect 5.0, 5.1, 6.0, 6.1, or ASCII to: Docket Office, Docket H–049, U.S. Department of Labor, Occupational Safety and Health Administration, Room N–2625, 200 Constitution Avenue, N.W., Washington, D.C. 20210; telephone: (202) 219–7894. Any information not contained on disk (e.g., studies, articles) must be submitted in quadruplicate. Written comments limited to 10 pages or less in length may also be transmitted by facsimile to (202) 219–5046, provided that the original and 3 copies are sent to the Docket Office thereafter.

FOR FURTHER INFORMATION CONTACT: Ms. Anne C. Cyr, Office of Information and Consumer Affairs, Occupational Safety and Health Administration, U.S. Department of Labor, Room N–3647, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Telephone (202) 219–8148. A copy of the referenced report is available for inspection and copying in the Docket Office and will be mailed to persons who request a copy by telephoning Mr. John Steelneck at (202) 219–7151. For an electronic copy of the Federal Register notice, contact the Labor News Bulletin Board (202) 219–4748; or OSHA's WebPage on the Internet at

<http://www.OSHA.gov/>. For news releases, fact sheets and other short documents, contact OSHA FAX at (900) 555–3400 at \$1.50 per minute.

SUPPLEMENTARY INFORMATION

Background

On November 7, 1995, OSHA published a notice (60 FR 56127) which reopened the record of the Respiratory Protection standard, 29 CFR 1910.134, to receive public comment on a report submitted by Dr. Mark Nicas titled "The Analysis of Workplace Protection Factor Data and the Derivation of Assigned Protection Factors" (hereafter, the "Nicas Report") which was entered as a post-hearing comment into the Respiratory Protection Docket H–049 as Exhibit #156. The original time period for public comment on the Nicas Report was scheduled to end on January 8, 1996. However, OSHA underwent a major reduction in operations and furlough of most employees from December 18, 1995 to January 5, 1996. As of January 17, 1996, OSHA had received only three comments on the Nicas Report in response to 60 FR 56127. To encourage additional public comments in response to this announcement, OSHA is extending the date for submitting comments on the Nicas Report to January 29, 1996. No additional extensions for this purpose are anticipated.

Authority and Signature

This document was prepared under the direction of Joseph A. Dear, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. It is issued pursuant to section 6(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 655).

Signed at Washington, D.C. this 17th day of January, 1996.

Joseph A. Dear,

Assistant Secretary of Labor.

[FR Doc. 96–728 Filed 1–22–96; 8:45 am]

BILLING CODE 4510–26–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 117

[CGD05–95–084]

RIN 2115–AE47

Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Sunset Beach, NC

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: At the request of the North Carolina Department of Transportation, the Coast Guard is proposing a change to the regulations that govern the operation of the drawbridge across the Atlantic Intracoastal Waterway, mile 337.9, at Sunset Beach, North Carolina. This proposed rule would extend the hours on weekends and holidays during the summer months during which the bridge may open only on the hour. This proposed rule is intended to provide regularly scheduled drawbridge openings to help reduce motor vehicle traffic delays and congestion on the roads and highways linked by this drawbridge while providing for the reasonable needs of navigation.

DATES: Comments must be received on or before March 8, 1996.

ADDRESSES: Comments may be mailed to Commander (ob), Fifth Coast Guard District, 431 Crawford Street, Portsmouth, Virginia 23704-5004, or may be delivered to Room 109 at the same address between 8 a.m. and 4 p.m., Monday through Friday, except Federal holidays. The telephone number is (804) 398-6227. Comments will become part of this docket and will be available for inspection at Room 109, Fifth Coast Guard District.

FOR FURTHER INFORMATION CONTACT: Ann B. Deaton, Bridge Administrator, Fifth Coast Guard District, at (804) 398-6222.

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 (CGD05-95-084) and the specific section of this rule to which each comment applies, and give the reason 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 wanting acknowledgment of receipt of comments 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 rule in view of the comments.

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 announced by a later notice in the Federal Register.

Drafting Information

The principal persons involved in drafting this document are Linda L. Gilliam, Project Manager, Bridge Section, and CDR T. R. Cahill, Project Counsel, Fifth Coast Guard District Legal Office.

Background and Purpose

Operation of drawbridges over the Atlantic Intracoastal Waterway in North Carolina, including the Sunset Beach drawbridge, are governed by 33 CFR 117.821. Section 117.821(a) requires that drawbridges over the Atlantic Intracoastal Waterway in North Carolina open on signal for public vessels of the United States, State and local government vessels, commercial vessels, and any vessel in an emergency involving danger to life and property. Section 117.821(b) requires that drawbridges over the Atlantic Intracoastal Waterway in North Carolina open on signal for pleasure vessels, except as otherwise provided. Section 117.821(b)(6) permits the Sunset Beach drawbridge to open only on the hour from April 1 to November 30 between 7 a.m. and 7 p.m., if signaled by a pleasure vessel. Current 33 CFR 117.821(b)(6) was established by a final rule published in the Federal Register on December 30, 1994 (59 FR 67629).

The North Carolina Department of Transportation, on behalf of the Town of Sunset Beach, has asked the Coast Guard to amend 33 CFR 117.821 to extend the hours during which the Sunset Beach drawbridge may open on the hour. The Town of Sunset Beach adopted a Resolution stating that drawbridge openings for recreational vessels after 6 p.m. on weekends and Federal holidays from June 1 to September 30 have caused tremendous highway traffic congestion at the bridge and highway traffic problems within the Town.

Based on this request, the Coast Guard is proposing to amend 33 CFR 117.821(b)(6). The proposed amendment would, on Saturdays, Sundays, and Federal holidays from June 1 to September 30, extend the hours during which the Sunset Beach drawbridge may open on the hour from 7 p.m. to 9 p.m. The Coast Guard believes that the proposed amendment would alleviate highway traffic problems while also permitting the orderly flow of

recreational vessel traffic through the draw. The proposed changes will not unduly restrict navigation by pleasure vessels, which may plan their transits to coincide with scheduled hourly openings.

This proposal would also correct the designation of the highway corridor to SR 1172 vice US 50 in 33 CFR 117.821(b)(6). According to the North Carolina Department of Transportation, the Sunset Beach drawbridge is not part of the US 50 Highway corridor.

Regulatory Evaluation

This proposed action 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.

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 concerns" under section 3 of the Small Business act (15 U.S.C. 632). 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 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 Assessment

The Coast Guard has analyzed this proposal under the principles and criteria contained in Executive Order 12612, and it has been determined that this proposal will 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)(3) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, 29 July 1994), this proposal is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement 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 is proposing 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); section 117.255 also issued under the authority of Pub. L. 102-587, 106 Stat. 5039.

2. In section 117.821, paragraph (b)(6) is revised to read as follows:

§ 117.821 Atlantic Intracoastal Waterway, Albermarle Sound to Sunset Beach.

* * * * *

(b) * * *

(6) SR 1172 bridge, mile 337.9, at Sunset Beach, NC, shall open on the hour on signal between 7 a.m. and 7 p.m., April 1 through November 30, except that on Saturdays, Sundays and Federal holidays, from June 1 through September 30, the bridge shall open on signal on the hour between 7 a.m. and 9 p.m.

* * * * *

Dated: December 26, 1995.

W.J. Ecker,

Rear Admiral, U.S. Coast Guard Commander,
Fifth Coast Guard District.

[FR Doc. 96-724 Filed 1-22-96; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY**40 CFR Part 52**

[CA 157-1-7223b; FRL-5317-3]

Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision; Sacramento Metropolitan Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: EPA is proposing to approve revisions to the California State Implementation Plan (SIP) which concern the control of volatile organic compound (VOC) emissions from the transfer of gasoline into stationary storage tanks and vehicle fuel tanks. The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990. In the 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 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 February 22, 1996.

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 IX, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rules 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 rules are also available for inspection at the following locations:

California Air Resources Board,
Stationary Source Division, Rule

Evaluation Section, 2020 "L" Street, Sacramento, CA 95814.
Sacramento Metropolitan Air Quality Management District, 8411 Jackson Road, Sacramento, CA 95826.

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 Sacramento Metropolitan Air Quality Management District (SMAQMD) Rule 448, Gasoline Transfer into Stationary Storage Containers, and Rule 449, Transfer of Gasoline into Vehicle Fuel Tanks, submitted to EPA on August 10, 1995 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: October 11, 1995.

Felicia Marcus,

Regional Administrator.

[FR Doc. 96-777 Filed 1-22-96; 8:45 am]

BILLING CODE 6560-50-P

40 CFR Part 52

[OH91-1-7265b; FRL-5401-5]

Approval and Promulgation of Implementation Plans; Ohio

AGENCY: U.S. Environmental Protection Agency (USEPA).

ACTION: Proposed rule.

SUMMARY: On November 3, 1995, Ohio submitted revisions to its particulate matter plans for the Cleveland and Steubenville nonattainment areas. These revisions were submitted to address plan deficiencies identified by USEPA in a final limited disapproval of the particulate matter plans published in the Federal Register on May 27, 1994, at 59 FR 27464. For the Cleveland area, these revisions provide earlier attainment and correct the deficient test method. For the Steubenville area, these revisions include an administrative order for tightening controls at Wheeling-Pittsburgh Steel's basic oxygen furnace and provide a fully updated modeling analysis demonstrating that the plan assures attainment. USEPA is proposing to approve these revisions. On this basis, USEPA is by separate notice today making an interim final determination that these revisions remedy the deficiencies identified in the