

County, NJ, has a vertical clearance of 5' above mean high water (MHW) and 8' above mean low water (MLW) in the closed position. The current regulations require the bridge to open on signal at all times.

Review of the bridge logs provided by NJDOT revealed that between 11 p.m. and 7 a.m., there were limited requests for bridge openings for the years 1992, 1993 and 1994. NJDOT is seeking relief from the requirement that a bridge tender be present during the hours of 11 p.m. and 7 a.m. when there are minimal requests for openings. The NJDOT requested a permanent change to the regulations governing operation of the Route 9 Bridge to require the draw to open on signal, except from 11 p.m. to 7 a.m., which will require a two hour advance notice. At all other times the bridge will open on signal. The bridge tenders will be on call to open the draw when the advance notice is given. A 24 hour special telephone number will be posted on the bridge and maintained by the NJDOT.

Accordingly, a new provision allowing the draw of the Route 9 bridge, at mile 1.5, to remain closed from 11 p.m. to 7 a.m. unless two hours advance notice is given will be designated as paragraph (a). The current provision allowing the draw of the Atlantic County (Rte. 575) bridge, at mile 3.5, to remain closed unless eight hours advance notice is given will be designated as paragraph (b). A general provision requiring the passage of Federal, State, and local government vessels used for public safety through all drawbridges is published at 33 CFR 117.31, and is no longer required to be published for each waterway. Therefore, this change will remove the provision requiring passage of public vessels from section 117.732.

#### Discussion of Comments and Changes

The Coast Guard received one comment from the New Jersey State Historic Preservation office which offered no objection to the Coast Guard's proposed rulemaking. Therefore, no changes to the proposed rule were made.

#### Regulatory Evaluation

This rule 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 rule 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 rule will not prevent mariners from passing through the Route 9 Bridge but will only require mariners to provide two hours advance notice from 11 p.m. to 7 a.m. Removal of the public vessel provision from this rule will have no impact since this provision is included at 33 CFR 117.31.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard considered whether this rule 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 fields and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Therefore, for the reasons set out under Regulatory Evaluation, the Coast Guard certifies under 5 U.S.C. 605(b) that this rule will not have a significant economic impact on a substantial number of small entities.

#### Collection of Information

This rule 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 rule under the principles and criteria in Executive Order 12612 and has determined that this rule does not raise sufficient federalism implications to warrant preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under paragraph 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, 29 July 1994), this rule is categorically excluded from further environmental documentation.

#### List of Subjects in 33 CFR Part 117

Bridges.  
Regulations

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 117 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. Section 117.732 is revised to read as follows:

### § 117.732 Nacote Creek.

(a) The Route 9 bridge, mile 1.5, shall open on signal, except that from 11 p.m. to 7 a.m., the draw shall open if at least two hours notice is given.

(b) The draw of the Atlantic County (Rte. 575) bridge, mile 3.5 at Port Republic, shall open on signal if at least eight hours notice is given.

Dated: May 10, 1996.

W.J. Ecker,

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

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## DEPARTMENT OF EDUCATION

### 34 CFR Part 668

RIN: 1840-AC14 and 1840-AB44

### Student Assistance General Provisions

AGENCY: Department of Education.

ACTION: Final regulations.

**SUMMARY:** The Secretary amends the Student Assistance General Provisions regulations to add the Office of Management and Budget (OMB) control number to certain sections of the regulations. These sections contain information collection requirements approved by OMB. The Secretary takes this action to inform the public that these requirements have been approved and affected parties must comply with them.

**EFFECTIVE DATE:** These regulations are effective on July 1, 1996.

**FOR FURTHER INFORMATION CONTACT:** Paula Husselmann or David Lorenzo, U.S. Department of Education, 600 Independence Avenue, S.W., (Room 3053, ROB-3) Washington, D.C. 20202. Telephone (202) 708-7888. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339 between 8 a.m. and 8 p.m. Eastern time, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** Final regulations for the Student Assistance General Provisions were published in

the Federal Register on November 29 and December 1, 1995 (60 FR 61424 [Equity in Athletics Disclosure Act], 61776 [Student Right-to-Know Act]). Compliance with information collection requirements in certain sections of these regulations was delayed until those requirements were approved by OMB under the Paperwork Reduction Act of 1995. OMB approved the information collection requirements in the regulations on March 14, 1996 for the graduation rate portion of the Student Right-to-Know Act and Campus Security Act, and March 29, 1996 for the Equity in Athletics Disclosure Act. The information collection requirements in these regulations will therefore become effective with all of the other provisions of the regulations on July 1, 1996.

#### Waiver of Proposed Rulemaking

It is the practice of the Secretary to offer interested parties the opportunity to comment on proposed regulations. However, the publication of OMB control numbers is purely technical and does not establish substantive policy. Therefore, the Secretary has determined under 5 U.S.C. 553(b)(B), that public comment on the regulations is unnecessary and contrary to the public interest.

#### List of Subjects in 34 CFR Part 668

Administrative practice and procedure, Colleges and universities, Consumer protection, Education, Reporting and recordkeeping requirements, Student aid, Vocational education.

Dated: June 6, 1996.

David A. Longanecker,  
Assistant Secretary for Postsecondary  
Education.

The Secretary amends Part 668 of Title 34 of the Code of Federal Regulations as follows:

### **PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS**

1. The authority citation for Part 668 continues to read as follows:

Authority: 20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099c, and 1141 unless otherwise noted.

#### **§§ 668.41, 668.48 [Amended]**

2. Sections 668.41 and 668.48 are amended by republishing the OMB control number following the section to read as follows: “(Approved by the Office of Management and Budget under control number 1840-0711)”

#### **§§ 668.41, 668.46, 668.49 [Amended]**

3. Sections 668.41, 668.46, and 668.49 are amended by adding the OMB control

number following each section to read as follows: “(Approved by the Office of Management and Budget under control number 1840-0719)”

[FR Doc. 96-14819 Filed 6-12-96; 8:45 am]

BILLING CODE 4000-01-P

### **ENVIRONMENTAL PROTECTION AGENCY**

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

[IN59-1-7217a; FRL-5510-7]

#### **Approval and Promulgation of Implementation Plans; Indiana**

**AGENCY:** Environmental Protection Agency.

**ACTION:** Direct final rule.

**SUMMARY:** On August 29, 1995, the State of Indiana submitted a State Implementation Plan (SIP) revision request to the United States Environmental Protection Agency (EPA) for rule changes specific to Allison Engine Company (Allison) plants 5 and 8 located in Marion County, Indiana. The submittal provides for an annual particulate matter “bubble” limit (a single limit which applies to the combined emissions from more than one source) for several boilers, and the shutdown of two other boilers. Short term particulate matter emission limits for all remaining stacks remain unchanged. This submittal represents a reduction in allowable particulate emissions of 67.7 tons per year, and the State has submitted a modeling analysis which shows that the revised rules will not have an adverse effect on air quality. **DATES:** The “direct final” is effective on August 12, 1996, unless EPA receives adverse or critical comments by July 15, 1996. If the effective date is delayed, timely notice will be published in the Federal Register.

**ADDRESSES:** Copies of the revision request are available for inspection at the following address: U.S. Environmental Protection Agency, Region 5, Air and Radiation Division, 77 West Jackson Boulevard, Chicago, Illinois 60604. (It is recommended that you telephone David Pohlman at (312) 886-3299 before visiting the Region 5 Office.)

Written comments should be sent to: J. Elmer Bortzer, Chief, Regulation Development Section, Air Programs Branch (AR-18J), U.S. Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

**FOR FURTHER INFORMATION CONTACT:** David Pohlman at (312) 886-3299.

### **SUPPLEMENTARY INFORMATION:**

#### **I. Background**

Indiana’s submittal of August 29, 1995, contains revisions to Title 326 Indiana Administrative Code (326 IAC) 6-1-12. The purpose of these changes is to provide a combined annual emission limit for several boilers at Allison, and to set an emission limit of zero tons per year for 2 boilers which have shut down.

The proposed rules were published in the Indiana Register on March 1, 1995. Public hearings were held on the rules on January 11, 1995, and April 5, 1995, in Indianapolis, Indiana. The rules were adopted by the Indiana Air Pollution Control Board on April 5, 1995; were published in the Indiana Register on November 1, 1995, and, became effective on November 3, 1995.

#### **II. Analysis of State Submittal**

The rule revisions in the August 29, 1995, submittal provide for new particulate matter (measured as total suspended particulate) limits for three stacks at Allison’s plants 5 and 8. Previously, the stack serving boilers 1-4 (plant 5) had a limit of 173.0 tons per year (tpy), the stack serving boiler 2 (plant 8) had a limit of 3.2 tpy, the stack serving boilers 3-6 (plant 8) had a limit of 9.3 tpy, and the stack serving boilers 7-11 (plant 8) had a limit of 12.2 tpy. These stacks also had limits of 0.337, 0.15, 0.15, and 0.15 pounds per million British Thermal Units (lb/MMBTU), respectively. The revision provides limits of 0 tons per year for boilers 2 and 11, which have shut down. The hourly mass limits remain unchanged at 0.337 lbs/MMBTU for boilers 1-4 of plant 5, 0.15 lbs/MMBTU for boilers 3-6 of plant 8, and 0.15 lbs/MMBTU for boilers 7-10 of plant 8. The rule provides for a combined limit of 130.0 tons per year for the boilers mentioned above, as well as new limits on the types and amounts of fuel which may be burned at the boilers, and a recordkeeping requirement to document compliance.

One problem which occurs several times in the rule is that, in the emissions limitations table, a list of several sources is followed by a single limit. For example, boilers 1-4 have a limit of .337 lbs/MMBTU. It is not clear from this whether the limit is meant to apply to individual boilers, or a single stack serving several boilers in common. The State has informed EPA that its intention in such cases is that the limit applies to each boiler. Also, the State has agreed to correct this problem, which occurs in a number of Indiana PM rules. The EPA believes that, since there is no more lenient interpretation