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**§ 2.53 [Removed]**

3. Section 2.53 is removed.

**§ 2.189 [Removed]**

4. Section 2.189 is and the undesignated center heading "Amendment of Rules" are removed.

Dated: September 10, 1996.

Bruce A. Lehman,  
*Assistant Secretary of Commerce and  
 Commissioner of Patents and Trademarks.*  
 [FR Doc. 96-23666 Filed 9-16-96; 8:45 am]  
**BILLING CODE 3510-16-P**

**ENVIRONMENTAL PROTECTION AGENCY**

**40 CFR Part 52**

[IA-005-1005; FRL-5611-3]

**Approval and Promulgation of Implementation Plans and Approval Under Section 112(1); State of Iowa**

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

**ACTION:** Notice of reopening public comment period.

**SUMMARY:** The EPA is providing notice that the public comment period for a notice of proposed rulemaking published July 29, 1996 (61 FR 39375), has been reopened until October 17, 1996. The July 29, 1996, action proposes to adopt certain revisions submitted by the state of Iowa to meet requirements of the Clean Air Act, and improve the state's permitting program and air quality. Comments on the proposal were due by August 28, 1996.

A number of persons have indicated that they desire more time to adequately address the issues contained in the proposed rule. The EPA has determined that additional time for comment is appropriate and is therefore reopening the comment period.

**DATES:** Comments are now due on or before October 17, 1996.

**ADDRESSES:** Comments may be mailed to Christopher D. Hess, Environmental Protection Agency, Air Planning and Development Branch, 726 Minnesota Avenue, Kansas City, Kansas 66101.

**FOR FURTHER INFORMATION CONTACT:** Christopher D. Hess at (913) 551-7213.

Authority: 42 U.S.C. 7401-7671q.

Dated: September 9, 1996.

William Rice,  
*Acting Regional Administrator.*  
 [FR Doc. 96-23790 Filed 9-16-96; 8:45 am]  
**BILLING CODE 6560-50-P**

**DEPARTMENT OF THE INTERIOR**

**Office of the Secretary**

**43 CFR Part 36**

RIN 1093-AA07

**Transportation and Utility Systems In and Across, and Access Into, Conservation System Units in Alaska**

**AGENCY:** Office of the Secretary, Interior.

**ACTION:** Proposed rule.

**SUMMARY:** This proposed rule would revise and simplify the regulatory definition of the term "economically feasible and prudent alternative route" as used in the review of proposed transportation and utility systems in Alaska under Title XI of the Alaska National Interest Lands Conservation Act (ANILCA).

**DATES:** Comments are requested by November 18, 1996.

**ADDRESSES:** Comments on the proposed regulations should be addressed to: Field Director, Alaska Field Office, National Park Service, 2525 Gambell Street, Room 107, Anchorage, AK 99503-2892.

**FOR FURTHER INFORMATION CONTACT:** David A. Funk, Alaska Field Office, National Park Service, 2525 Gambell Street, Room 107, Anchorage, AK 99503-2892. Phone: (907) 257-2589.

**SUPPLEMENTARY INFORMATION:**

**Background**

On December 2, 1980, the Alaska National Interest Lands Conservation Act (ANILCA) was signed into law as Public Law 96-487 (94 Stat. 2371, 16 U.S.C. 3101, et seq.). Title XI of ANILCA, which is entitled "Transportation and Utility Systems in and across, and Access into, Conservation System Units," established guidelines and procedures for submitting and processing applications for transportation and utility systems (TUS) in Alaska when any portion of the route of the system will be within any conservation system unit, national recreation area, or national conservation area. In addition, Title XI authorizes special access, temporary access, and access to inholdings.

On July 15, 1983, the Department of the Interior (Department) proposed comprehensive regulations to implement ANILCA Title XI on lands in Alaska under the jurisdiction of the National Park Service (NPS), U.S. Fish and Wildlife Service (FWS), and the Bureau of Land Management (BLM) (48 FR 32506). On September 4, 1986, the

Department published final Title XI regulations (51 FR 31619).

In early 1987, the Trustees for Alaska and other groups (Trustees) sued the Department to challenge the Title XI regulations as exceeding the authority granted to the Department by ANILCA. Parties intervening in the case included Arctic Slope Regional Council, the Alaska Miners Association, the Alaska Forest Association, and the Resource Development Council for Alaska, Inc. (The State of Alaska's Motion to Intervene on appeal is pending.) In Orders dated April 29, 1991, and March 16, 1993, the U.S. District Court for the District of Alaska granted summary judgment to the Department. The Trustees appealed the lower court's decision to the U.S. Court of Appeals for the Ninth Circuit, which assigned the case to the Chief Circuit Mediator to explore whether possible revision of the Title XI regulations, then under consideration by the Department of the Interior, might provide a basis for settlement. Based on all the parties' oral stipulation of agreement, and with the State of Alaska's concurrence, the Chief Circuit Mediator entered a court order on August 30, 1996, dismissing the litigation on the basis of the Department's proposal of a single regulatory revision to the existing Title XI regulations. If, after consideration of comments received in response to today's proposed rulemaking, the Department decides to promulgate a final rule based on the language of the proposed rule, the Ninth Circuit Court will dismiss the Title XI appeal with prejudice.

The Department is today proposing one revision to the 1986 regulations in order to improve the regulations' workability and reduce the opportunities for delays in decision-making. The decision to propose this one revision follows substantial review and discussion with interested parties both within and outside the Department. Based on these discussions and the August 30, 1996 Court Order entered by the Ninth Circuit's Chief Mediator, the Department is hopeful that this rulemaking process will result in settlement of the longstanding litigation.

The Department is not proposing any other revisions of the Title XI regulations. Thus, for example, the 1986 regulations implementing the Title XI provisions concerning access to inholdings, special access, and temporary access remain intact. Also, the Department is not proposing any changes to the regulatory provisions governing access to subsistence resources under Title VIII of ANILCA