holidays. The public record is located in Room 1132 of the Public Response and Program Resources Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA 22202.

Electronic comments can be sent directly to EPA at:

opp-docket@epamail.epa.gov

Electronic comments must be submitted as an ASCII file avoiding the use of special characters and any form of encryption.

The official record for this rulemaking, as well as the public version, as described above will be kept in paper form. Accordingly, EPA will transfer all comments received electronically into printed, paper form as they are received and will place the paper copies in the official rulemaking record which will also include all comments submitted directly in writing. The official rulemaking record is the paper record maintained at the address in ''ADDRESSES'' at the beginning of this document.

V. Regulatory Assessment Requirements

Under Executive Order 12866 (58 FR 51735, October 4, 1993), this action is not a ''significant regulatory action'' and, since this action does not impose any information collection requirements as defined by the Paperwork Reduction Act, 44 U.S.C. 3501 *et seq.*, it is not subject to review by the Office of Management and Budget. In addition, this action does not impose any enforceable duty or contain any unfunded mandate as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4), or require prior consultation with State officials as specified by Executive Order 12875 (58 FR 58093, October 28, 1993), or special considerations as required by Executive Order 12898 (59 FR 7629, February 16, 1994).

Pursuant to the requirements of the Regulatory Flexibility Act (Pub. L. 96–354, 94 Stat. 1164, 5 U.S.C. 601–612), the Administrator has determined that regulations establishing new tolerances or raising tolerance levels or establishing exemptions from tolerance requirements do not have a significant economic impact on a substantial number of small entities. A certification statement explaining the factual basis for this determination was published in the Federal Register of May 4, 1981 (46 FR 24950).

Under 5 U.S.C. 801(a)(1)(A) of the Administrative Procedure Act (APA) as amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (Title II of Pub. L. 104–121, 110 Stat. 847), EPA submitted a report containing this rule and other required information to the U.S. Senate, the U.S. House of Representatives and the Comptroller General of the General Accounting Office prior to publication in today's Federal Register. This rule is not a ''major rule'' as defined by 5 U.S.C. 804(2) of the APA as amended.

List of Subjects in 40 CFR Part 180

Environmental protection, Administrative practice and procedure, Agricultural commodities, Pesticides and pests, Reporting and recordkeeping requirements.

Dated: January 28, 1997.

Janet L. Anderson,

Director, Biopesticides and Pollution Prevention Division, Office of Pesticide Programs.

Therefore, it is proposed that 40 CFR Chapter I be amended as follows:

PART 180— [AMENDED]

1. The authority citation for part 180 is revised to read as follows:

Authority: 21 U.S.C. 346a and 371.

2. By adding new § 180.1178 to read as follows:

§ 180.1178 Formic acid; exemption from the requirement of a tolerance.

The biochemical pesticide formic acid is exempted from the requirement of a tolerance in or on honey and beeswax when used to control tracheal mites in bee colonies, and applied in accordance with accepted apiarian practices.

[FR Doc. 97–2712 Filed 2–4–97; 8:45 am]

BILLING CODE 6560–50–F

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 3500, 3510, 3520, 3530, 3540, 3550, 3560, and 3570

RIN 1004–AC49

[WO–130–1820–00 24 1A]

Leasing of Solid Minerals Other Than Coal and Oil Shale

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed regulations, re-opening of comment period.

SUMMARY: On October 18, 1996, the Bureau of Land Management (''BLM'') published a document in the Federal Register announcing a proposed rule to reorganize the solid minerals regulations in 43 CFR parts 3500, 3510, 3520, 3530, 3540, 3550, 3560, and 3570 (61 FR 54384). The purpose of the proposed rule is to eliminate redundant language, streamline the regulations, and clarify the responsibilities of interested parties. The 60-day comment period for the proposed rule expired on January 16, 1997. After receiving requests for more time to comment, BLM is re-opening the comment period for 30 days.

DATES: Submit comments by March 7, 1997.

ADDRESSES: If you wish to comment, you may:

(a) Hand-deliver comments to the Bureau of Land Management, Administrative Record, Room 401, 1620 L St., NW., Washington, DC.;

(b) Mail comments to the Bureau of Land Management, Administrative Record, Room 401LS, 1849 C Street, NW., Washington, DC 20240; or

(c) Send comments through the Internet to WOComment@wo.blm.gov. Please include ''attn: AC49'', and your name and return address in your Internet message. If you do not receive a confirmation from the system that we have received your Internet message, please contact us directly at (202) 452–5030.

You will be able to review comments at BLM's Regulatory Affairs Group office, Room 401, 1620 L Street, N.W., Washington, D.C., during regular business hours (7:45 a.m. to 4:15 p.m.) Monday through Friday.

FOR FURTHER INFORMATION CONTACT: Erica Petacchi, (202) 452–5084, or Annetta Cheek, (202) 452–5099.

Dated: January 30, 1997.

Ted Hudson,

Acting Regulatory Affairs Group Manager.

[FR Doc. 97–2767 Filed 2–4– 97; 8:45 am]

BILLING CODE 4310–84–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 36, 51, 61 and 69

[CC Docket Nos. 96–45, 96–262, and 96–98; DA 97–56]

Implementation of the Telecommunications Act of 1996

AGENCY: Federal Communications Commission.

ACTION: Request for comment on staff analysis of economic cost proxy models.

SUMMARY: The Common Carrier Bureau of the Federal Communications Commission here seeks comment on

issues raised by its January 9, 1997 Staff Analysis of economic cost computer models submitted in connection with several pending proceedings implementing the Telecommunications Act of 1996.

DATES: Comments in response to the Public Notice are due February 3, 1997,[1] and replies are due February 14, 1997.

ADDRESSES: Commenters must file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: David A. Konuch, 202–418–0199 or Brad Wimmer, 202–418–1847.

SUPPLEMENTARY INFORMATION: Released: January 9, 1997.

Commission Staff Releases Analysis of Forward-Looking Economic Cost Proxy Models

Comment Date: February 3, 1997.

Reply Comment Date: February 14, 1997

1. This past year, the Commission has undertaken proceedings on universal service, interstate access charge reform, and local exchange competition to overhaul our current regulations in light of the Telecommunications Act of 1996. In each proceeding the Commission has examined the use of cost proxy models as a regulatory tool to estimate forward-looking economic costs of providing telephone service. Today the Commission Staff released a staff analysis intended to stimulate discussion of criteria for the evaluation, and use, of forward-looking cost proxy models in determining universal service support payments, cost-based access charges, and interconnection and unbundled network element pricing. The Common Carrier Bureau (''Bureau'') here is seeking comment on the issues raised in the paper. The record gathered in response to this paper may at a future date be associated with the official record of certain pending rulemakings to which it may be relevant and may be used to support Commission determinations in those rulemakings. These rulemakings are Federal-State Joint Board on Universal Service, CC Docket No. 96–45, Access Charge Reform, CC Docket No. 96–262, and Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, CC Docket No. 96–98.

2. The staff's analysis begins with a methodological discussion of the criteria for evaluating an economic cost model. These criteria include: (1) Adherence to a forward-looking costing methodology; (2) the ability to measure the cost of a narrowband network; (3) consistency with independent cost evidence; (4) potential for independent evaluation of model algorithms and input assumptions; and (5) flexibility to vary user input choices. The Bureau seeks comment on these design criteria, and other issues, including whether a proxy model should estimate the cost of a network capable of delivering broadband services as well as traditional narrowband services. In commenting on the above issues and any others that commenters regard as useful in evaluating the models, commenters should identify the criteria they believe are the most important and the basis for their position. Further, commenters should discuss whether and to what extent the models in the record, or any models submitted subsequently, satisfy these criteria.

3. The paper also contains a detailed analysis of the structure and input requirements of existing proxy models. With regard to model structure, the paper examines various issues including: (1) The use of existing local exchange carrier wire centers; (2) the geographic unit of analysis used by model proponents in designing their networks; (3) the specification of demand for business and special access lines; and (4) the specification of network elements included in a model and the services those elements are capable of providing. The paper also analyzes the engineering assumptions made by existing models submitted in one or more of the rulemakings listed above in determining levels of forward-looking investment, with particular attention directed to feeder and distribution routes, fill factors, investment in structures, and switching investment. Finally, the paper considers those models' treatment of capital expenses, operating expenses, and joint and common costs. Commenters should use this analysis as a basis for their comments on existing proxy models. For instance, do the models include loop plant investment sufficient to meet demand? In addition, based on its analysis thus far, the Commission staff believes that varying any one of a number of input factors of the models, such as the cost of capital or the depreciation rate, may greatly affect the resulting prices or support payment amounts. The Bureau seeks comment on this view, and on which inputs are most critical to the soundness of the prices generated by the models. Should the Commission take steps to set specific inputs such as depreciation rates, capital costs, treatment of taxes, joint and common costs, and expenses, and, if so, how?

4. The staff's analysis attempts to identify the modeling assumptions and inputs that are most likely to have a significant impact on estimated costs. Where appropriate, commenters should indicate whether they agree or disagree with this analysis. In the case of model input choices, commenters can, if desired, recommend either specific input values or specific methodologies that could be used to select an appropriate input. In some cases, the staff analysis indicates areas in which alternative modeling approaches would be desirable, and commenters are asked to describe in detail such alternatives whenever possible. While commenters are invited to address any aspect of existing or future proxy models, particular attention should be paid to the following areas identified in the staff analysis: (1) The appropriate choice of fill factors and the treatment of structure costs; (2) methodologies for determining the appropriate forward-looking cost of capital and rate of depreciation; (3) alternative methodologies that models could use to estimate forward-looking operating expenses; and (4) sources of independent evidence that could be used to choose model inputs and verify model outputs.

5. The staff's analysis also considers several questions about the potential uses of models in pending proceedings on universal service, access reform and element pricing. For instance, could a single model, or combination of models, be used for multiple regulatory objectives, i.e., in determining cost-based access charges as part of a prescriptive approach to access reform and in setting both interconnection and unbundled element prices and universal service support levels? The Federal-State Universal Service Joint Board has already recommended that the models before it undergo refinement before they may be used to set universal service support levels. Similarly, the staff's analysis suggests that each of the models would need to be modified before it alone could be used to set cost-based access charges or to estimate network facilities' costs, and the Bureau seeks comment on this view. As an alternative to choosing a single model or set of models, could a hybrid model be developed that would employ the most successful features and assumptions contained in individual models? The Bureau also seeks comment on the different design assumptions that commenters believe can or should be

[1] Note: This document was received at the Office of the Federal Register on January 28, 1997.

used in models used for different purposes. For instance, commenters that believe the modeling of the economic cost of providing network facilities or access costs can or should differ from the modeling of the economic costs of providing the services receiving universal service support should describe their reasons, including in part the differences in network investments required. Specifically, they should identify any costs included in unbundled elements that are directly attributable to unsupported services. More broadly, the Bureau seeks comment on whether the various inputs to the models, such as rate of return and depreciation, can or should differ for these different purposes.

6. The Bureau looks forward to receiving comments and working with all interested parties in developing reasonable approaches to using economic cost models as tools in resolving the various critical telecommunications policy issues described above. The comments should be filed on or before February 3, 1997, with reply comments due February 14, 1997. Commenters must file an original and four copies of their comments with the Office of the Secretary, Federal Communications Commission, Room 222, 1919 M Street, N.W., Washington, D.C. 20554. Comments should reference CPD Docket No. 97–2. Commenters should send one copy of their comments to the Commission's copy contractor, International Transcription Service, Room 140, 2100 M Street, N.W., Washington, D.C. 20037. Comments will be available for public inspection during regular business hours in the FCC Reference Center, Room 239, 1919 M Street, N.W., Washington, D.C. 20554.

7. Parties are also asked to submit comments on diskette. Such diskette submissions would be in addition to and not a substitute for the formal filing requirements addressed above. Parties submitting diskettes should submit them to Wanda M. Harris, Competitive Pricing Division, Common Carrier Bureau, 1919 M Street, N.W., Room 518, Washington, D.C. 20554. Such a submission should be on a 3.5 inch diskette in an IBM compatible format using WordPerfect 5.1 for Windows software in a ''read only'' mode. The diskette should be clearly labelled with the party's name, proceeding, and date of submission. The diskette should be accompanied by a cover letter.

List of Subjects

47 CFR Part 36

Communications common carriers, Telephone, Uniform System of Accounts.

47 CFR Part 51

Communications common carriers, Telephone.

47 CFR Part 61

Communications common carriers, Tariffs, Telephone.

47 CFR Part 69

Access charges, Communications common carriers, Telephone.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97–2502 Filed 2–4–97; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 960805216–7013–04; I.D. 121796B]

RIN 0648–AH06

Fisheries of the Northeastern United States; Regulatory Amendment to the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries

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

ACTION: Proposed rule; request for comments.

SUMMARY: NMFS issues this proposed rule and request for comments to implement a regulatory amendment to the Fishery Management Plan (FMP) for the Summer Flounder, Scup, and Black Sea Bass Fisheries. This proposed regulatory amendment would revise the allocation and management of the commercial scup quota.

DATES: Public comments must be received on or before March 7, 1997.

ADDRESSES: Comments on this proposed rule should be sent to Dr. Andrew A. Rosenberg, Regional Administrator, National Marine Fisheries Service, Northeast Regional Office, One Blackburn Drive, Gloucester, MA 01930. Mark the outside of the envelope, ''Comments on Scup Regulatory Amendment.''

Comments regarding burden-hour estimates for collection-of-information requirements contained in this proposed rule should be sent to the Regional Administrator, Northeast Region, NMFS, at the address above, and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, D.C. 20502 (Attention: NOAA Desk Officer).

Copies of the regulatory amendment are available upon request from David R. Keifer, Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 South New Street, Dover, DE 19901.

FOR FURTHER INFORMATION CONTACT: Regina L. Spallone, Fishery Policy Analyst, 508–281–9221.

SUPPLEMENTARY INFORMATION:

Background

The Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) adopted an FMP for the Scup Fishery for NMFS review in November 1995. To reduce the number of separate regulations issued by the Federal Government, however, the proposed scup FMP was incorporated into the Summer Flounder FMP as Amendment 8 to that FMP. Amendment 8 was approved by NMFS on July 29, 1996 (61 FR 43420, August 23, 1996). The Commission then adopted a plan with measures that are identical to those in Amendment 8. The Commission plan would confer to States responsibility of managing their quota for the scup industry in their state and can implement and enforce landing limits. In addition, quota monitoring and closures upon quota attainment would be state compliance measures under the Commission plan, as stated in the Atlantic Coastal Fisheries Cooperative Management Act.

Due to the seriously overfished status of the stock, the Council had requested, and the Secretary of Commerce (Secretary) implemented, emergency regulations to enact a minimum mesh requirement and minimum fish size for the fishery. These measures were in effect from March 22, 1996, until regulations implementing Amendment 8 were published on September 23, 1996.

Amendment 8 established target annual exploitation rates for rebuilding the stock that are to be reached through a total allowable catch (TAC) for the scup fishery that includes both landings and discards. The TAC is divided into a commercial TAC and a recreational TAC. Discard estimates are then subtracted from each of those allocations. The result is an annual