

small businesses and not-for-profit organizations that are not dominant in their fields and (2) governmental jurisdictions with populations less than 50,000. Because it expects the impact of this proposal to be so minimal, the Coast Guard certifies under section 605(b) of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that this proposal, if adopted, will not have a significant 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

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

Environmental Assessment

The Coast Guard considered the environmental impact of this proposal and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1B, as revised in 59 FR 38654, July 29, 1994, and 61 FR 13563, March 27, 1996, it will have no significant environmental impact and it is categorically excluded from further environmental documentation. The environmental analysis checklist and Categorical Exclusion Determination will be available for inspection and copying in the docket to be maintained at the address listed in ADDRESSES.

List of Subjects in 33 CFR Part 110

Anchorage grounds.

Proposed Regulation

For the reasons set out in the preamble, the Coast Guard proposes to amend part 110, title 33, Code of Federal Regulations as follows:

PART 110—[AMENDED]

1. The authority citation for Part 110 continues to read as follows:

Authority: 33 U.S.C. 471, 2071; 49 CFR 1.46; and 33 CFR 1.05-1(g). Section 110.1a and each section listed in it are also listed under 33 U.S.C. 1223 and 1231.

2. In section 110.224, note f to TABLE 110.224(d)(1) in paragraph (d) and paragraph (e)(10) are revised to read as follows:

§ 110.224 San Francisco Bay, San Pablo Bay, Carquinez Strait, Suisun Bay, Sacramento River, San Joaquin River, and connecting waters, CA.

* * * * *
(d) * * *

TABLE 110.224(d)(1)

* * * * *

Notes: f. the maximum total quantity of explosives that may be on board a vessel using this anchorage shall be limited to 3,000 tons unless otherwise authorized with the written permission of the Captain of the Port.

* * * * *

(e) * * *

(10) *Anchorage No. 14.* In San Francisco Bay east of Hunters Point an area 1,000 yards wide and 2,760 yards long, the end boundaries of which are semicircles, with a radii of 500 yards and center, respectively at latitude 37°42'37" N., longitude 122°19'48" W. and latitude 37°43'29" N., longitude 122°19'48" W. (NAD 83); and the side boundaries of which are parallel tangents joining the semicircles. A 667 yard-wide forbidden anchorage zone surrounds this anchorage.

* * * * *

Dated: April 15, 1997.

J.M. MacDonald,

Captain, U.S. Coast Guard, Commander, Eleventh Coast Guard District (Acting).

[FR Doc. 97-11561 Filed 5-2-97; 8:45 am]

BILLING CODE 4910-14-M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[W166-01-7242; FRL-5821-1]

Approval and Promulgation of Implementation Plans; Wisconsin

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: On November 15, 1994, the Wisconsin Department of Natural Resources (WDNR) submitted an overwhelming transport petition to the United States Environmental Protection Agency (EPA) requesting temporary suspension of the automatic reclassification to Serious Nonattainment and the delay of the attainment date (from 1996 to 2007) for three ozone Moderate Nonattainment Counties (Manitowoc, Sheboygan, and Kewaunee). However, on August 26, 1996, the counties of Sheboygan and Kewaunee were redesignated to attainment. As a result, this overwhelming transport request is being applied only to Manitowoc County. The

petition is supported with results from photochemical grid modeling. Approval of the temporary attainment date delay will suspend the automatic reclassification of Manitowoc County from Moderate to Serious. Final approval of the new attainment date is dependent upon the results of an attainment demonstration for both the upwind and downwind areas. Approval of the attainment date delay petition does not preclude the State from submitting a request for redesignation to attainment for the county, based on 3 years of clean air quality monitoring data.

DATES: Comments on this request and on the proposed EPA action must be received by June 4, 1997.

ADDRESSES: Written comments should be addressed to: Carlton Nash, Chief, Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Copies of the State's submittal and other information are available for inspection during normal business hours at the following location.

Regulation Development Section, Air Programs Branch (AR-18J), United States Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

FOR FURTHER INFORMATION CONTACT: Rick Tonielli, Air Programs Branch, Regulation Development Section (AR-18J), United States Environmental Protection Agency, Region 5, Chicago, Illinois 60604, (312) 886-6068.

SUPPLEMENTARY INFORMATION:

I. Background

On November 15, 1994, the Wisconsin Department of Natural Resources submitted a petition to the EPA requesting temporary suspension of the automatic reclassification to serious nonattainment and the delay of the attainment date (from 1996 to 2007) for 3 ozone Moderate Nonattainment Counties (Manitowoc, Sheboygan, and Kewaunee). On May 15, 1996, the WDNR submitted a request for redesignation to attainment for the three moderate nonattainment areas based on 3 years of clean air quality data. On August 26, 1996, the counties of Sheboygan and Kewaunee were redesignated to attainment (61 FR 43668-43675). Manitowoc County was not redesignated to attainment due to violations of the ozone national ambient air quality standard (NAAQS) during the summer of 1996. As a result, this overwhelming transport request will be applied solely to Manitowoc County.

The November 15, 1994 petition from WDNR was submitted in response to EPA's September 1, 1994 guidance policy for areas affected by overwhelming transport. That Guidance, entitled "Ozone Attainment Dates for Areas Affected by Overwhelming Transport", describes the rationale used by EPA to temporarily revise the attainment date for areas affected by overwhelming transport, without bumping them up to a higher classification. In order for an area to qualify for an extension, the State must clearly demonstrate through modeling that transport from an area with a later attainment date makes it "practicably impossible" for the area in question to attain the standard by its attainment date. The policy further states that "modeling must support the new attainment date, which should be as expeditious as practicable, but no later than the attainment date of the area causing the delay." The State must specify the new attainment date in its SIP.

The September 1, 1994 guidance policy further states that "an area can request, and EPA can approve, an attainment date extension separate from the attainment demonstration". In other words, an area can be granted a temporary delay in its attainment date by demonstrating overwhelming transport even though attainment demonstrations for upwind and downwind areas are not yet complete. The policy goes on to state that "EPA will take rulemaking action on such requests to temporarily suspend the original attainment date. Final approval of an attainment date extension—with a newly specified attainment date—will depend on the results of the attainment

demonstrations for both the upwind and downwind areas." Wisconsin is working toward completion of an attainment demonstration in conjunction with Illinois, Indiana, and Michigan, following the Phase I/Phase II Ozone Transport Assessment Group approach outlined in EPA's March 2, 1995 guidance memorandum from Mary Nichols entitled "Ozone Attainment Demonstrations". The goal of this approach is to reduce the amount of transported ozone across the eastern United States through the implementation of regional, as well as urban scale, emission reductions. The attainment demonstration for the Lake Michigan States, including Wisconsin, is due in mid-1997.

II. Review of Modeling Demonstration to Support Attainment Date Extension

The demonstration of the overwhelming transport was based on a protocol, dated September 23, 1994, that was developed by the Lake Michigan Air Directors Consortium (LADCO) for both the Western Michigan and Northeastern Wisconsin Moderate Nonattainment Areas petitioning for attainment date extensions. LADCO is an organization which provides technical support and guidance to the states of Illinois, Indiana, Michigan, and Wisconsin.

Methodology

The modeling was performed using the Urban Airshed Model-Variable (UAM-V). The UAM-V model was approved by EPA for regulatory use in the Lake Michigan region. The model used boundary ozone conditions based on observed data. Wind field data were based on predictions from the

CALRAMS prognostic meteorological model. Emissions were based on the Lake Michigan Ozone Study (LMOS) inventory. Details of the modeling input are included in the Technical Support Document and in the State submittal.

The modeling analysis consisted of two basic steps:

(1) UAM-V runs were used to demonstrate the effectiveness of mandatory control measures using 1996 Clean Air Act control measures and growth (Strategy 1). This strategy contains a variety of emission reduction measures for both stationary and mobile sources, as well as for formulation of gasoline. Runs were conducted for four 1991 LMOS episodes: (1) June 26-28, (2) July 17-19, (3) August 25-26, and (4) June 20-21.

(2) When step 1 failed to show attainment in the Moderate Nonattainment areas, the State demonstrated overwhelming transport by determining the contribution made by the three Moderate Nonattainment counties to the peak ozone concentrations seen in the Wisconsin Moderate Nonattainment Areas. This was done by repeating Step 1 while zeroing out the NO_x and anthropogenic volatile organic compound (VOC) emissions in the Moderate Nonattainment area and running UAM-V for LMOS episodes 1 and 3. Episodes 1 and 3 were chosen because the highest predicted and observed ozone concentrations in northeastern Wisconsin occurred during those episodes. Additionally, the predominant wind flow during these two episodes was from the southwest, which allowed an examination of transport from the upwind Chicago and Milwaukee severe nonattainment areas.

TABLE 1.—PREDICTED OZONE CONCENTRATIONS
[Parts per billion]

	Domain-wide peak			WI moderate nonattainment area peak	
	Basecase	Step 1	Step 2	Step 1	Step 2
Episode 1:					
June 26	¹ 165	² 158	³ 158	⁴ 137	137
June 27	151	143	143	102	104
June 28	142	134	134	105	106
Episode 2:					
July 17	148	141	.....	98	.....
July 18	162	157	.....	109	.....
July 19	160	155	.....	88	.....
Episode 3:					
August 25	128	127	127	93	92
August 26	158	150	150	136	⁵ 138
Episode 4:					
June 20	137	132	.....	73	.....
June 21	126	123	.....	68	.....

*Basecase—includes no emission reduction strategies.

¹ The maximum Basecase ozone concentration predicted for the modeling domain (the area being modeled, which includes upwind areas as well as the moderate nonattainment areas), 165 ppb, occurred during Episode 1, and was located just east of Milwaukee, over Lake Michigan.

² The maximum domain-wide Strategy 1 ozone concentration, 158 ppb, occurred during Episode 1, and was located just east of Milwaukee, over Lake Michigan.

³ The maximum domain-wide Strategy 1 ozone concentration with Wisconsin Moderate Area emissions zeroed out was 158 ppb, occurred during Episode 1, and located just east of Milwaukee, over Lake Michigan.

⁴ The maximum WI Moderate Nonattainment Area ozone concentration with Strategy 1 emissions was 137 ppb and occurred during Episode 1. This concentration was predicted in Sheboygan County.

⁵ The maximum WI Moderate Nonattainment Area Strategy 1 ozone concentration with Wisconsin Moderate Area emissions zeroed out was 138 ppb and occurred during Episode 3. This concentration was predicted in Manitowoc County.

Results

The numerical results of the step 1 and step 2 modeling are presented in Table 1. The numbers in the table were taken from plots of modeled output, (included in the State submittal) showing the spatial distribution of ozone concentrations for the various episodes and control assumptions.

Table 1 clearly shows that the domain-wide peak concentrations and the Moderate Nonattainment Area peak concentrations are unaffected by emissions from Sheboygan, Manitowoc, and Kewaunee Counties. In each of the two episodes modeled with zeroed-out emissions for the three counties, the peak concentrations in those counties remained essentially unchanged and on a few days, resulted in slightly higher concentrations.

III. Proposed Rulemaking Action and Solicitation of Public Comment

The State submittal demonstrated that emissions from the Wisconsin Moderate Nonattainment Area did not contribute to the exceedances predicted in that area for Episodes 1 and 3. It further demonstrated that the exceedances are due to transport from upwind areas. Two of the three counties originally in the moderate nonattainment area have since been redesignated to attainment based on 3 years of clean air quality data. Consequently, this petition applies only to Manitowoc County. Although the modeling analysis submitted by the State examined the impact of zeroing out emissions from all three counties, the results from that analysis remain valid now that the petition applies only to Manitowoc County. In other words, if zeroing out emissions in three counties had minimal domain-wide or local impact, zeroing out emissions from one county would also have minimal impact. Therefore, Manitowoc County could not demonstrate modeled attainment of the Ozone National Ambient Air Quality Standards by the required attainment date, November 15, 1996, due to overwhelming transport from upwind areas that have a later attainment date of November 15, 2007. Because the upwind areas (e.g., Chicago and Milwaukee) do not have approved modeling analyses demonstrating that

the WI Moderate Nonattainment Area could show attainment by a specific date, the EPA is proposing to approve the request to temporarily allow the Manitowoc County moderate nonattainment area to use the upwind area's attainment date of November 15, 2007. Approval of a permanent delay of the attainment date will be dependent on the results of the attainment demonstration due in mid-1997 for both the upwind and downwind areas, along with the additional provisions detailed in part II(B) of the attachment to the September 1, 1994, guidance memorandum.

The demonstration made by the State which shows that the current SIP emission reduction measures would be sufficient to achieve attainment by the moderate area attainment date but for the overwhelming amount of transported pollutants into the area is based on modeling results. Approval of the attainment date delay petition does not preclude the State from submitting a request for redesignation to attainment for Manitowoc County based on air quality monitoring data.

Public comments are solicited on EPA'S proposed rulemaking action. Public comments received by June 4, 1997 will be considered in the development of EPA'S final rulemaking action.

General Provisions

Nothing in this action should be construed as permitting, allowing or establishing a precedent for any future request for revision to any SIP. Each request for revision to any SIP shall be considered separately in light of specific technical, economic, and environmental factors and in relation to relevant statutory and regulatory requirements.

This action has been classified as a Table 3 action for signature by the Regional Administrator under the procedures published in the **Federal Register** on January 19, 1989 (54 FR 2214-2225), as revised by a July 10, 1995, memorandum from Mary Nichols, Acting Assistant Administrator for Air and Radiation. The Office of Management and Budget has exempted this regulatory action from Executive Order 12866 review.

Regulatory Process

Under the Regulatory Flexibility Act, 5 U.S.C. 600 *et seq.*, EPA must prepare a regulatory flexibility analysis assessing the impact of any proposed or final rule on small entities (5 U.S.C. §§ 603 and 604). Alternatively, EPA may certify that the rule will not have a significant economic impact on a substantial number of small entities. Small entities include small businesses, small not-for-profit enterprises, and government entities with jurisdiction over populations of less than 50,000.

SIP approvals under section 110 and subchapter I, part D of the Clean Air Act (CAA) do not create any new requirements, but simply approve requirements that the State is already imposing. Therefore, because the Federal SIP-approval does not impose any new requirements, I certify that it does not have a significant economic impact on any small entities.

Under Sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532, 1533, and 1535, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of the state implementation plan or plan revisions approved in this section, the State has elected to adopt the program provided for under section 110 of the Clean Air Act. The rules and commitments being approved under this section may bind State, local, and tribal governments to perform certain actions and also may ultimately lead to the private sector being required to perform certain duties. To the extent that the rules and commitments being approved by this action will impose or lead to the imposition of any mandate upon the State, local, or tribal governments either as the owner or operator of a source or as a regulator, or would impose or lead to the imposition of any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to

State, local, or tribal governments, or to the private sector, result from this action. The EPA has also determined that this action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector. Approval of Wisconsin's emissions inventories does not impose any new requirements or have a significant economic impact on small entities.

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by July 7, 1997.

Filing a petition for reconsideration by the Administrator of this final rule does not affect the finality of this rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review may be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements (See Section 307(b)(2)).

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Ozone, Volatile organic compounds, Nitrogen oxides.

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

Dated: April 16, 1997.

David A. Ullrich,

Acting Regional Administrator.

[FR Doc. 97-11628 Filed 5-2-97; 8:45 am]

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GENERAL SERVICES ADMINISTRATION

41 CFR Part 101-47

RIN 3090-AG39

Utilization and Disposal of Real Property

AGENCY: Office Of Governmentwide Policy, GSA.

ACTION: Proposed rule.

SUMMARY: This proposed rule amends the section of the regulations issued by the General Services Administration (GSA) pertaining to the responsibilities of disposal agencies with respect to appraisals. This action is necessary because it clarifies and strengthens the intended effect of this rule which is to ensure the reliability, integrity, and confidentiality of appraisals of real property.

DATES: Comments must be received on or before July 7, 1997.

ADDRESSES: Written comments should be sent to the Office of Property Disposal (PR), General Services Administration, Washington, DC 20405

FOR FURTHER INFORMATION CONTACT: Norman Miller, Director, Redeployment Services Division (202) 501-0067.

SUPPLEMENTARY INFORMATION:

A. GSA has determined that this is not a significant rule for the purposes of Executive Order 12866 of September 30, 1993, because it is not likely to result in any of the impacts noted in Executive Order 12866, affect the rights of specified individuals, or raise issues arising from the policies of the Administration. GSA has based all administrative decisions underlying this rule on adequate information concerning the need for and consequences of the rule; has determined that the potential benefits to society from this rule outweigh the potential costs; has maximized the net benefits; and has chosen the alternative approach involving the least net cost to society. This is not a major rule under 5 U.S.C. 804.

B. Regulatory Flexibility Act

This proposed rule is not required to be published in the **Federal Register** for public comment, therefore the Regulatory Flexibility Act does not apply.

C. Paperwork Reduction Act

The Paperwork Reduction Act does not apply because the proposed revisions do not impose recordkeeping or information collection requirements, or the collection of information from offerors, contractors, or members of the public which require the approval of OMB under 44 U.S.C. 501 *et seq.*

List of Subjects in 41 CFR Part 101-47

Government property management; Surplus Government property.

Therefore, it is proposed that 41 CFR part 47 be amended as set forth below:

PART 101-47—UTILIZATION AND DISPOSAL OF REAL PROPERTY

1. The authority citation for 41 CFR Part 47 continues to read as follows:

Authority: 40 U.S.C. 486(c).

2. Section 101-47.303-4 is amended by revising paragraph (c) and adding paragraph (d) to read as follows:

§ 101-47.303-4 Appraisal.

* * * * *

(c) The disposal agency shall have the property appraised by experienced and qualified persons familiar with the types of property to be appraised by them. If

the property is eligible for inclusion on the National Register of Historic Places, the appraisal should consider the effect of historic covenants on fair market value. Any person engaged to collect or evaluate information pursuant to this subsection shall certify that there is no interest, direct or indirect, of said person, in the property which would conflict in any manner with the preparation and submission of an impartial appraisal report.

(d) *Appraisal confidentiality.*

Appraisals, appraisal reports, appraisal analyses, and other pre-decisional documents obtained in accordance with subpart 101-47.3 are confidential and for the use of authorized personnel of Government agencies having a need for such information. Further, such information shall not be divulged prior to the delivery and acceptance of the deed.

Dated: February 3, 1997.

David J. Barram,

Acting Administrator of General Services.

[FR Doc. 97-11538 Filed 5-2-97; 8:45 am]

BILLING CODE 6820-23-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 2

[ET Docket No. 97-94; FCC 97-84]

Streamline the Equipment Authorization Process

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: By this Notice of Proposed Rule Making (NPRM) the Commission proposes to amend the rules to simplify our existing equipment authorization processes; deregulate the equipment authorization requirements for certain types of equipment; and provide for electronic filing of applications for equipment authorization. These actions will greatly reduce the complexity and burden of the Commission's equipment authorization requirements.

DATES: Comments must be filed on or before July 21, 1997, and reply comments August 18, 1997. Persons wishing to comment on the information collections should submit comments July 21, 1997.

ADDRESSES: Comments and reply comments should be sent to the Office of Secretary, Federal Communications Commission, Washington, D.C. 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained