

Region I, One Congress Street, Suite 1100 (CAA), Boston, MA 02114-2023. Region 1's technical support documents are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA and Division of Air and Hazardous Materials, Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767.

FOR FURTHER INFORMATION CONTACT: Ian D. Cohen, (617) 918-1655.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Authority: 42 U.S.C. 7401 et seq.

Dated: May 6, 1999.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 99-13029 Filed 6-1-99; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MA-67-7202b; A-1-FRL-6346-7]

Approval and Promulgation of Air Quality Implementation Plans; Massachusetts and Rhode Island; Nitrogen Oxides Budget and Allowance Trading Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA is proposing to approve State Implementation Plan (SIP) revisions submitted by the States of Rhode Island (RI) and Massachusetts (MA). The revisions consists of adding a regulation entitled, "Nitrogen Oxides Allowance Program," and a consent agreement to the RI SIP and a regulation entitled, "NO_x Allowance Program," to the MA SIP. The consent agreement in Rhode Island establishes alternative NO_x reasonably available control technology (RACT) requirements for four boilers. The RI and MA regulations are part of a regional nitrogen oxides (NO_x) emissions cap and allowance trading program designed to reduce stationary source NO_x emissions during the ozone season in the Ozone Transport Region (OTR) of the northeastern United States. These SIP revisions were submitted pursuant to section 110 of the Clean Air Act (CAA).

In the Final Rules section of this **Federal Register**, EPA is approving the

States' SIP submittals as direct final rules without prior proposal because the Agency views these as noncontroversial revisions and anticipates no adverse comments. A detailed rationale for the approval is set forth in the direct final rule. If no adverse comments are received in response to these actions, no further activity is contemplated in relation to this proposed 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. EPA will not institute a second comment period. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before July 2, 1999.

ADDRESSES: Comments may be mailed to Susan Studlien, Deputy Director, Office of Ecosystem Protection (mail code CAA), U.S. Environmental Protection Agency, Region I, One Congress Street, Suite 1100, Boston, MA 02114-2023. Copies of the State submittals and EPA's technical support documents are available for public inspection during normal business hours, by appointment at the Office of Ecosystem Protection, U.S. Environmental Protection Agency, Region I, One Congress Street, 11th floor, Boston, MA, at the Division of Air and Hazardous Materials, Rhode Island Department of Environmental Management, 291 Promenade Street, Providence, RI 02908-5767, and at the Massachusetts Division of Air Quality Control, Department of Environmental Protection, One Winter Street, 8th Floor, Boston, MA 02108.

FOR FURTHER INFORMATION CONTACT: Steven Rapp, (617) 918-1048 or at Rapp.Steve@EPAMAIL.EPA.GOV.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule which is located in the Rules section of this **Federal Register**.

Dated: May 6, 1999.

John P. DeVillars,

Regional Administrator, Region I.

[FR Doc. 99-13027 Filed 6-1-99; 8:45 am]

BILLING CODE 6560-50-U

DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-99-5737]

Federal Motor Vehicle Safety Standards

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Denial of petition for rulemaking.

SUMMARY: In this document, we deny a petition for rulemaking submitted by Marie E. Birnbaum, a private individual. The petitioner asked us to initiate rulemaking to require passenger cars and light trucks to be equipped with "black boxes" (data recorders) analogous to those found on commercial airliners. We agree with the petitioner that the recording of crash data can provide information that is very valuable in understanding crashes, and which can be used in a variety of ways to improve motor vehicle safety. However, we are denying the petition because the motor vehicle industry is already voluntarily moving in the direction recommended by the petitioner. Further, we believe this area presents some issues that are, at least for the present time, best addressed in a non-regulatory context.

FOR FURTHER INFORMATION CONTACT:

For non-legal issues: Mr. Clarke Harper, Chief, Light Duty Vehicle Division, NPS-11, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Telephone: (202) 366-2264. Fax: (202) 366-4329.

For legal issues: J. Edward Glancy, Office of Chief Counsel, NCC-20, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. Telephone: (202) 366-2992. Fax: (202) 366-3820.

SUPPLEMENTARY INFORMATION: We received a petition for rulemaking from Marie E. Birnbaum, a private individual, asking us to initiate rulemaking to require passenger cars and light trucks to be equipped with "black boxes" (data recorders) analogous to those found on commercial airliners. The petitioner stated that the purpose of the devices would be to record speed and possibly other data in order to (1) improve public safety by encouraging responsible driving, and (2) provide records of pre-crash speed and possibly other information. Ms. Birnbaum stated that this pre-crash information would work to improve driver accountability

through better crash investigation, enforcement and adjudication.

We note that we received Ms. Birnbaum's petition just after we had denied another petition making essentially the same request. Price T. Bingham, a private individual, had asked us to initiate rulemaking to require air bag sensors to be designed so that similar information is recorded during a crash and can be read by crash investigators.

In responding to Mr. Bingham's petition, we noted that the safety community in recent years has shown considerable interest in the concept of crash event recorders. Such recorders can, in conjunction with air bag and other sensors already provided on many vehicles, collect and record a variety of relevant crash data. These data include such things as vehicle speed, belt use, and crash pulse.

While we agreed with Mr. Bingham that the recording of crash data can provide information that is very valuable in understanding crashes, and which can be used in a variety of ways to improve motor vehicle safety, we nonetheless denied the petition. One reason for denying the petition was the fact that the motor vehicle industry is already voluntarily moving in the direction recommended by the petitioner. Another was our belief that this area presents some issues that are, at least for the present time, best addressed in a non-regulatory context.

We issued our denial of Mr. Bingham's petition on November 3, 1998, and published it in the November 9, 1998 edition of the **Federal Register** (63 FR 60270). Ms. Birnbaum's petition was dated November 7, 1998.

After reviewing Ms. Birnbaum's petition, we conclude that our reasons for denying Mr. Bingham's petition are also applicable to her petition. A full explanation of those reasons is provided in our November 9, 1998 **Federal Register** notice, which we incorporate by reference.

The November 1998 notice included a discussion of ongoing work in this area by NHTSA's Motor Vehicle Safety Research Advisory Committee (MVSRAAC). The agency noted that MVSRAAC had set up a working group on event data recorders under the Crashworthiness Subcommittee and that the first meeting of the working group had taken place in October 1998. Since publication of the November 1998 notice, another working group meeting has been held, and a third meeting is planned for this summer. The Event Data Recorder Working Group is considering a wide variety of subjects related to crash event recording devices

and anticipates producing a report by the end of calendar year 2000.

Minutes of the Event Data Recorder Working Group meetings are being placed in the public docket. The public may access these materials via the Web. The Docket Management Web site is at "<http://dms.dot.gov>". You should search for Docket number 5218.

For the reasons discussed above, we are denying Ms. Birnbaum's petition for rulemaking.

Authority: 49 U.S.C. 30162; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: May 27, 1999.

L. Robert Shelton,

Associate Administrator for Safety Performance Standards.

[FR Doc. 99-13895 Filed 6-1-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. NHTSA-98-4422]

RIN 2127-AE22

Federal Motor Vehicle Safety Standards; Seat Belt Assembly Anchorages

AGENCY: National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

ACTION: Withdrawal of proposed rulemaking.

SUMMARY: This notice withdraws a proposed rulemaking action to amend Federal motor vehicle safety standard No. 210 Seat Belt Assembly Anchorages. The proposed amendment would require that the lap belt angle for rear adjustable seats be measured in the rearmost adjustment position. However, the agency has determined that the proposed amendment may reduce vehicle safety and affect some front adjustable anchorage locations.

FOR FURTHER INFORMATION CONTACT: For technical information: Mr. John Lee, Office of Crashworthiness, NPS-11, Telephone (202) 366-2264. FAX number (202) 493-2739, Mr. Lee's e-mail address is: jlee@nhtsa.dot.gov.

For legal information: Mr. Otto Matheke, Office of Chief Counsel, NHTSA, (202) 366-5263 Fax number (202) 366-3820.

Both may be reached at: National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590.

SUPPLEMENTARY INFORMATION: Federal motor vehicle safety standard (Standard) No. 210 Seat Belt Assembly Anchorages specifies performance requirements for safety belt anchorages to ensure their proper location for effective occupant protection and to reduce the likelihood of the anchorages' failure in a crash. The requirements of the standard apply to passenger cars, trucks, buses and multipurpose passenger vehicles (MPVs). The standard sets zones within the vehicle where the anchorage must be located. The anchorage for a lap belt or the lap portion of a lap/shoulder belt is required to meet a minimum and maximum mounting angle. The standard also sets minimum strength requirements.

On December 4, 1991, NHTSA published a notice of proposed rulemaking (NPRM) to amend the lap belt angle measurement procedure for adjustable rear seats of Standard No. 210. The current procedure measures the angle from the seat aligned with the seating reference point. The proposed procedure measured the lap belt angle with the seat in the rearmost adjustable position. The intent of the amendment was to establish a more easily identified seat position for measuring the lap belt angle of the moveable rearward seats. The agency believed the seating reference point may not have been an adequate reference point for these rearward moveable seats.

The agency received five comments to the NPRM. All were opposed to the proposal as written. One commenter, Ford Motor Company (Ford), stated, "* * * the proposal may reduce vehicle safety, by requiring that anchorages be located in positions that produce a flatter lap belt angle than is ideal when the seat is adjusted to a forward adjustment position. Ford suggest that anchorages for rear adjustable seats be located from the hip point of the template when the seat is in the middle of its adjustment range." Ford also stated, "* * * an 18 month leadtime would be insufficient if anchorages were to be relocated as proposed."

Ford, Chrysler, Toyota and GM were concerned about the proposed wording of S4.3.1.1(b) in which "* * * a line 2.5 inches forward of and 0.375 inches above the seating reference point * * *" is replaced by "* * * a line from the seating reference point to the contact point of the belt with the anchorage * * *" would be a substantial rulemaking. The change could affect the dummy kinematics during Standard No. 208 testing as well as the anchorage location at front adjustable seats, not just the rear adjustable seats. Chrysler stated, "As