

Dated: August 14, 1995.

Carol M. Browner,
Administrator.

40 CFR part 52 is proposed to be amended as follows:

1. The authority citation for part 52 continues to read as follows:

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

Subpart T—Louisiana

2. Section 52.992 is proposed to be amended by adding paragraph (b) to read as follows:

§ 52.992 Area-wide nitrogen oxides (NO_x) exemptions.

* * * * *

(b) The LDEQ submitted to the EPA on November 17, 1994, a petition requesting that the Baton Rouge ozone nonattainment area be exempted from the NO_x control requirements of section 182(f) of the CAA. In addition, supplemental information was submitted to the EPA by the LDEQ on January 26, 1995, June 6, 1995, and June 16, 1995. The Baton Rouge nonattainment area consists of East Baton Rouge, West Baton Rouge, Point Coupee, Livingston, Iberville, and Ascension parishes. The exemption request was based on photochemical grid modeling which shows that reductions in NO_x would not contribute to attainment in the nonattainment area. On (insert date 60 days after date of final approval), the EPA approved the State's request for an areawide exemption from the following requirements: NO_x new source review, NO_x reasonable available control technology, NO_x general conformity, NO_x inspection and maintenance requirements.

[FR Doc. 95-20526 Filed 8-17-95; 8:45 am]

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40 CFR Parts 52 and 81

[LA-24-1-7026b; FRL-5277-4]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Louisiana; Approval of the Maintenance Plans for the Parishes of Beauregard, Grant, Lafayette, Lafourche, and St. Mary; Redesignation of these Ozone Nonattainment Areas to Attainment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: On March 27, 1995, December 12, 1994, October 21, 1994, November 18, 1994, and November 23, 1994, the

State of Louisiana submitted revised maintenance plans and requests to redesignate the ozone nonattainment areas of Beauregard, Grant, Lafayette, Lafourche, and St. Mary Parishes to attainment. These maintenance plans and redesignation requests were initially submitted to the EPA during the Summer of 1993. Although the EPA deemed these initial submittals complete, certain approvability issues existed. The State of Louisiana addressed these approvability issues and has revised its submissions. Under the Clean Air Act (CAA), nonattainment areas may be redesignated to attainment if sufficient data are available to warrant the redesignation and the area meets the other CAA redesignation requirements. In this action, EPA is proposing to approve Louisiana's redesignation requests because they meet the maintenance plan and redesignation requirements set forth in the CAA and EPA is proposing to approve the 1990 base year emissions inventory. The approved maintenance plans will become a federally enforceable part of the State Implementation Plan (SIP) for Louisiana.

In the Final Rules Section of this **Federal Register**, the EPA is approving these redesignation requests in a direct final rulemaking without prior proposal because the EPA views this action as noncontroversial 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 that direct final rule, no further activity is contemplated in relation to this rule. If the 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. The EPA will not institute a second comment period on this action. Any parties interested in commenting on this action should do so at this time.

DATES: Comments on this proposed rule must be received in writing by September 18, 1995.

ADDRESSES: Comments should be mailed to Thomas H. Diggs, Chief, Air Planning Section (6T-AP), U.S. EPA Region 6, 1445 Ross Avenue, Dallas, Texas 75202-2733. Copies of the State's petition and other information relevant to this action are available for inspection during normal hours at the following locations:

U.S. Environmental Protection Agency, Region 6, Air Programs Branch (6T-A), 1445 Ross Avenue, Suite 700, Dallas, Texas 75202-2733.

Louisiana Department of Environmental Quality, Office of Air Quality, P.O. Box 82135, Baton Rouge, Louisiana 70884-2135.

Anyone wishing to review this petition at the EPA office is asked to contact the person below to schedule an appointment 24 hours in advance.

FOR FURTHER INFORMATION CONTACT: Mr. Mick Cote, Planning Section (6T-AP), EPA Region 6, telephone (214) 665-7219.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final rule which is located in the Rules Section of this **Federal Register**.

List of Subjects in 40 CFR Parts 52 and 81

Environmental protection, Air pollution control, Area designations, Hydrocarbons, Incorporation by reference, Intergovernmental regulations, National parks, Reporting and recordkeeping, Ozone, Volatile organic compounds, Wilderness areas.

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

Dated: July 21, 1995.

A. Stanley Meiburg,

Acting Regional Administrator (6A).

[FR Doc. 95-20190 Filed 8-17-95; 8:45 am]

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40 CFR Parts 52 and 81

[TN 141-1-6986b; FRL-5277-8]

Clean Air Act Approval and Promulgation of Redesignation of the Rossville Area of Fayette County, Tennessee, to Attainment for Lead

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Tennessee for the purpose of redesignating the Fayette County area to attainment for lead. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment 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 that direct final rule, 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. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this document should do at this time.

DATES: To be considered, comments must be received by September 18, 1995.

ADDRESSES: Written comments should be addressed to: Kimberly Bingham, Regulatory Planning and Development Section, Air Programs Branch, Air, Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365.

Copies of the material submitted by the State of Tennessee may be examined during normal business hours at the following locations:

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street SW., Washington, DC 20460.

Environmental Protection Agency, Region 4 Air Programs Branch, 345 Courtland Street NE., Atlanta, Georgia 30365.

Tennessee Department of Environment and Conservation, Division of Air Pollution Control, 401 Church Street, L & C Annex, 9th Floor, Nashville, Tennessee 37243-1531.

FOR FURTHER INFORMATION CONTACT: Kimberly Bingham, Regulatory Planning and Development Section, Air Programs Branch, Air Pesticides & Toxics Management Division, Region 4 Environmental Protection Agency, 345 Courtland Street NE., Atlanta, Georgia 30365. The telephone number is (404) 347-3555 extension 4195.

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

Dated: August 3, 1995.

Patrick M. Tobin,

Acting Regional Administrator.

[FR Doc. 95-20192 Filed 8-17-95; 8:45 am]

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 95

[WT Docket No. 95-131; FCC 95-318]

Allow Interactive Video and Data Service (IUDS) Licensees to Eliminate the One-year Construction "Build-out" Requirement

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission has proposed rules to allow Interactive Video and Data Service (IUDS) licensees to eliminate the one-year construction "build-out" requirement. This action was initiated on our own motion in response to requests by several IUDS licensees that participated in the IUDS auction. Originally crafted in the context of awarding licenses by lottery, the one-year construction benchmark now appears unnecessary. Licensees have sufficient economic incentives to provide service as quickly as possible; eliminating this one-year benchmark will provide licensees with greater flexibility in making financial, equipment, and other construction-related decisions.

DATES: Comments must be submitted on or before September 20, 1995 and reply comments must be filed on or before October 5, 1995.

ADDRESSES: Federal Communication Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Donna Kinin at (202) 418-0680, Wireless Telecommunications Bureau.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's *Notice of Proposed Rule Making*, WT Docket 95-131, FCC 95-318, adopted July 31, 1995, and released August 14, 1995. The full text of this *Notice of Proposed Rule Making* is available for inspection and copying during normal business hours in the FCC Reference Center, Room 230, 1919 M Street, NW., Washington, DC. The complete text may be purchased from the Commission's copy contractor, International Transcription Service, Inc., 2100 M Street, NW., Suite 140, Washington, DC 20037, telephone (202) 857-3800.

Summary of Notice of Proposed Rule Making

1. In response to requests by several IUDS licensees that were awarded licenses as a result of the IUDS auction, the Commission initiated a rule making to amend part 95 of its Rules, 47 CFR part 95, to eliminate the one-year construction "build-out" requirement. The IUDS service rules, crafted in 1992 in the context of awarding licenses by lottery, were intended to reduce speculation and spectrum warehousing. The Commission believes that the one-year construction benchmark is no longer necessary when licenses are awarded by auction.

2. The Commission proposes to amend § 95.833(a) of its rules to permit IUDS licensees to eliminate the one-year

construction requirement, but not alter the three- and five-year benchmarks. Licensees argue that the IUDS equipment market is in early development and the one-year rule will hinder the industry's technological development. The Commission believes that with auction-awarded licenses, licensees have sufficient economic incentive to provide service as quickly as possible. In addition, it is in the public interest to provide licensees with greater flexibility in making financial, equipment and other construction-related decisions. Finally, leaving the three- and five-year benchmarks in tact, ensures timely service to the public.

3. The Commission seeks specific comments concerning the proposed rule amendment.

Initial Regulatory Flexibility Analysis

Reason for Action

The Commission proposes to amend part 95 of its rules to eliminate the one-year "build-out" construction requirement in the Interactive Video and Data Service (IUDS). Section 95.833(a) was crafted in the context of lotteries, but with auctions, speculation and spectrum warehousing are not issues.

Objectives

This change will provide greater opportunity for IUDS technological development and give licensees greater flexibility in their equipment/business decisions.

Legal Basis

The proposed action is authorized under sections 4(i), 303(r) and 309(j) of the Communications Act, 47 U.S.C. 154(i), 303(r) and 309(j).

Report, Recordkeeping and Other Compliance Requirements

None.

Federal Rules Which Overlap, Duplicate or Conflict With These Rules

None.

Description, Potential Impact, and Small Entities Involved

The proposed rule change would benefit IUDS licensees by allowing more flexibility in their construction decisions, while offering service in the intended time frame. Most IUDS licensees are expected to be small entities.

Any Significant Alternatives Minimizing the Impact on Small Entities Consistent With the Stated Objectives

None.