

Commission on November 17, 1995 (60 FR 58304, November 27, 1995).

On July 18, 1995, the Commission issued a Notice of Intent to Prepare an Environmental Impact Statement for the Notice of Proposed Rulemaking and Request for Comments on Environmental Issues (NOI).¹ The NOI described proposed cases for examination and established a procedure for public comments. Thirty-six comments were received in response to the NOI. A public meeting was held on September 8, 1995, in Washington, D.C. The most frequently raised issue involves air quality impacts, particularly the possible transport of nitrogen oxides (NO_x) emissions by Midwestern generating plants to airsheds in the Northeast and the resulting impacts on ozone non-attainment areas in the Northeast.

Based on the responses to the NOI, comments on the DEIS, and a careful analysis of the major issues, the staff developed a study that addresses the key potential environmental impacts of the rulemaking. The staff used a modeling approach that includes a detailed representation of the transmission grid. The model results and other analyses allow the staff to examine a series of other issues, including visibility; impacts on land, water and waste; and some potential mitigation options. The modeling took into account comments from the U.S. Department of Energy and the U.S. Environmental Protection Agency.

The FEIS finds, among other things, that the relative price of coal and natural gas has a larger effect on NO_x emissions than any impacts of the rule. The proposed rules are projected to have only slight impacts on NO_x emissions, and the impacts are as likely to be beneficial as harmful.

The FEIS has been placed in the public files of the FERC and is available for public inspection at: Federal Energy Regulatory Commission, Public Reference and Files Maintenance Branch, 888 First Street NE., Washington, DC 20426, (202) 208-1371.

Copies of the FEIS have been mailed to Federal and State agencies and individuals who requested copies of the FEIS in response to the NOI and the DEIS.

The FEIS is available to the public on the Commission Posting System (CIPS). CIPS is an electronic bulletin board service which provides access to the text of formal documents issued by the Commission. CIPS is available at no

charge to the user and may be accessed using a personal computer with a modem by dialing (202) 208-1397. To access CIPS, set your communications software to 19200, 14400, 12000, 9600, 7200, 4800, 2400, or 1200 bps, full duplex, no parity, 8 data bits and 1 stop bit. For further assistance, call the CIPS Hotline at (202) 208-2474.

Lois D. Cashell,

Secretary.

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DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

23 CFR Part 230

[FHWA Docket No. 81-9]

RIN 2125-AD56

Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (Including Supportive Services)

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Withdrawal of advance notice of proposed rulemaking.

SUMMARY: The FHWA is withdrawing an advance notice of proposed rulemaking (ANPRM) published on February 1, 1982, at 47 FR 4536. Current FHWA Equal Employment Opportunity regulations include provisions for supportive services which are intended to improve the effectiveness of on-the-job training by Federal-aid highway construction contractors. The 1982 ANPRM sought comments on these supportive services provisions in an attempt to determine whether they should be eliminated from current regulations or whether and how they should be modified. The data and information received during the comment period, as well as analysis initiated by the FHWA, indicate that continuation of the provision would greatly assist in strengthening the FHWA skills training program.

FOR FURTHER INFORMATION CONTACT:

Linda J. Brown, Chief, Policy and Program Development Division, Office of Civil Rights, 202-366-0471, or Wilbert Baccus, Office of the Chief Counsel, 202-366-1396, Federal Highway Administration, 400 Seventh Street, SW., Washington, D.C. 20590. Office hours are from 7:45 a.m. to 4:15 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: On February 1, 1982, the FHWA published

an ANPRM in the Federal Register (47 FR 4536) seeking public comment on: (1) the effectiveness or lack of effectiveness of the provisions currently set forth in 23 CFR 230 subpart A; (2) whether they should be eliminated; (3) whether and how they should be restructured; and (4) whether an interagency agreement should be sought to obtain supportive services through the U.S. Department of Labor's Targeted Outreach Programs. The FHWA docket received 157 comments. State transportation agencies, contractors, contractors' associations, unions, women and minorities organizations, and other interested parties that commented to the docket overwhelmingly supported the continuation of the supportive services provisions. Nevertheless, all commenters agreed that the program needed to be restructured to effectively benefit the FHWA skills training program. Also, none of the commenters were in favor of entering into an interagency agreement with the U.S. Department of Labor to administer the On-the-Job Training/Supportive Services (OJT/SS) program.

The FHWA agrees with the commenters, since FHWA's goal is to increase the effectiveness of the OJT/SS program and the agency does not propose to eliminate the OJT/SS program. Instead, the FHWA believes that restructuring the program to permit recipients greater flexibility in designing and implementing training programs is the most effective way to strengthen the program.

Additionally, the FHWA has convened an implementation team on civil rights regulations. The team consists of representatives from FHWA's headquarters and field offices, whose goal is to review, streamline, and simplify civil rights regulations and to integrate civil rights requirements with other program requirements. As a result of the team effort an NPRM will be published in 1996 to solicit comments on the proposed revisions to the civil rights regulations.

Rulemaking Analyses and Notices

Executive Order 12866 (Regulatory Planning and Review) and DOT Regulatory Policies and Procedures

The FHWA has determined that this action is not a significant regulatory action within the meaning of Executive Order 12866 or significant within the meaning of Department of Transportation's 1982 regulatory policies and procedures. Because this action simply withdraws a 1982 ANPRM, it will have no economic

¹ 60 FR 36752, July 18, 1995. The proposed rule in this proceeding was issued March 29, 1995 (60 FR 17662, April 7, 1995).

effect. Therefore, a full regulatory evaluation has not been prepared.

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96-354, 5 U.S.C. 601-612), the FHWA has evaluated the effects of this rule on small entities. The FHWA hereby certifies that this withdrawal of a proposed action will not have significant economic impact on a substantial number of small entities.

Executive Order 12612 (Federalism Assessment)

This action has been analyzed in accordance with the principles and criteria contained in Executive Order 12612, and it has been determined that the withdrawal of the advance notice of proposed rulemaking will not have sufficient federalism implications to warrant the preparation of a federalism assessment.

Executive Order 12374 (Intergovernmental Review)

Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.

Paperwork Reduction Act

This advance notice of proposed rulemaking did not contain a collection of information requirement for purposes of the Paperwork Reduction Act of 1995, 44 U.S.C. 3501-3520.

National Environmental Policy Act

The agency has analyzed this action for the purpose of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*) and has determined that this action would not have any effect on the quality of the environment.

Regulation Identification Number

A regulation identification number (RIN) is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN contained in the heading of this document can be used to cross reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 230

Equal employment opportunity, Grant programs— transportation, Highways and roads, Minority businesses, Reporting and recordkeeping requirements.

(23 U.S.C. 140 and 315; 49 CFR 1.48)

Issued on: April 3, 1996.

Rodney E. Slater,

Federal Highway Administrator.

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 301

[GL-001-96]

RIN 1545-AU01

Authority to Modify or Rescind Taxpayer Assistance Orders

AGENCY: Internal Revenue Service (IRS), Treasury.

ACTION: Notice of proposed rulemaking.

SUMMARY: This document contains proposed regulations regarding taxpayer assistance orders. The proposed regulations provide that the authority to modify or rescind taxpayer assistance orders is limited to the Commissioner, the Deputy Commissioner, or the Ombudsman. The proposed regulations affect all taxpayers with respect to whom a taxpayer assistance order is issued.

DATES: Written comments and requests for a public hearing must be received by July 18, 1996.

ADDRESSES: Send submissions to: CC:DOM:CORP:R (GL-001-96), room 5228, Internal Revenue Service, POB 7604, Ben Franklin Station, Washington, DC 20044. In the alternative, submissions may be hand delivered between the hours of 8 a.m. and 5 p.m. to: CC:DOM:CORP:R (GL-001-96), Courier's Desk, Internal Revenue Service, 1111 Constitution Avenue NW., Washington, DC.

FOR FURTHER INFORMATION CONTACT: Robert A. Miller, (202) 622-3640 (not a toll-free number).

SUPPLEMENTARY INFORMATION:

Explanation of Provisions

This document contains a proposed amendment to the Procedure and Administration Regulations (26 CFR part 301) under section 7811 of the Internal Revenue Code. In Announcement 96-5 (1996-4 I.R.B. 99), Administrative Initiatives to Enhance Taxpayer Rights, IRS indicated it was increasing the power of the Ombudsman to assist taxpayers by affording greater protection for taxpayer assistance orders. Effective on the date of the Announcement 96-5, January 4, 1996,

the power to modify or rescind a taxpayer assistance order issued under section 7811 is limited to the Commissioner, Deputy Commissioner, or the Ombudsman.

The current regulations provide that taxpayer assistance orders may be modified or rescinded by the Commissioner, Deputy Commissioner, or Ombudsman and, additionally, the following IRS officials: a district director, a service center director, a compliance center director, a regional director of appeals, or the superiors of those officials. Announcement 96-5 indicates that proposed regulations would be published in early 1996 to reflect the policy restriction in authority to modify or rescind taxpayer assistance orders. Under the proposed regulations, officials other than the Commissioner, Deputy Commissioner, or the Ombudsman may modify or rescind a taxpayer assistance order only with the specific written authorization of the Commissioner, Deputy Commissioner, or Ombudsman.

Special Analyses

It has been determined that this notice of proposed rulemaking is not a significant regulatory action as defined in EO 12866. Therefore, a regulatory assessment is not required. It also has been determined that section 553(b) of the Administrative Procedure Act (5 U.S.C. chapter 5) and the Regulatory Flexibility Act (5 U.S.C. chapter 6) do not apply to these regulations, and, therefore, a Regulatory Flexibility Analysis is not required. Pursuant to section 7805(f) of the Internal Revenue Code, this notice of proposed rulemaking will be submitted to the Chief Counsel for Advocacy of the Small Business Administration for comment on its impact on small business.

Comments and Requests for a Public Hearing

Before these proposed regulations are adopted as final regulations, consideration will be given to any written comments that are submitted timely (a signed original and eight copies) to the IRS. All comments will be available for public inspection and copying. A public hearing may be scheduled if requested in writing by a person that timely submits written comments. If a public hearing is scheduled, notice of the date, time, and place for the hearing will be published in the Federal Register.

Drafting Information

The principal author of these regulations is Robert A. Miller, Office of Assistant Chief Counsel (General