

DEPARTMENT OF TRANSPORTATION**Coast Guard****33 CFR Part 165**

[COTP Los Angeles-Long Beach 96-003]

RIN 2115-AA97

Safety Zone; San Pedro Bay, CA**AGENCY:** Coast Guard, DOT.**ACTION:** Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to establish a moving safety zone around any liquefied hazardous gas tank vessel (LHG T/V) while the vessel is anchored, moored, or underway within the Los Angeles-Long Beach port area. The safety zone will take effect upon the entry of any LHG T/V into the waters within three (3) miles outside of the Federal breakwater bounding San Pedro Bay, and will remain in effect until the LHG T/V leaves the said three (3) mile limit. Entry into this zone will be prohibited unless authorized by the Captain of the Port Los Angeles-Long Beach. Prohibiting vessel traffic from entering these moving safety zones will reduce the likelihood of a collision or explosion involving a liquefied hazardous gas carrier.

DATES: Comments must be received on or before September 17, 1996.

ADDRESSES: Comments should be mailed to: Commanding Officer, U.S. Coast Guard Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Avenue, Long Beach, CA 90802.

FOR FURTHER INFORMATION CONTACT: Lieutenant Mark T. Cunningham, Chief, Port Safety and Security Division, Marine Safety Office Los Angeles-Long Beach, 165 N. Pico Avenue, Long Beach, CA 90802; phone: (310) 980-4454 or fax: (310) 980-4415.

SUPPLEMENTARY INFORMATION: Interested persons are invited to participate in this rulemaking by submitting written views, data or arguments. Persons submitting comments should include their names and addresses, identify this notice (COTP Los Angeles-Long Beach 96-003) and the specific section of this proposal to which their comments apply, and should give reasons for each comment within their correspondence. The proposed rules may be changed in light of comments received. No public hearing is planned, but one may be held if written requests are received and it is determined that the opportunity to make oral presentations will aid the rulemaking process.

Discussion of Proposed Regulations

Liquefied hazardous gas tank vessels (LHG T/V) periodically transit and moor in Los Angeles-Long Beach port areas to load butane at the AmeriGas facility at Los Angeles Berth 120. For each LHG T/V arrival and departure, the Captain of the Port Los Angeles-Long Beach has exercised his authority and established a temporary safety zone around the vessel. These transits are occurring with increasing frequency. The Captain of the Port is proposing a regulation which would establish a moving safety zone around each LHG T/V while it is in the port area to protect the public and port waterways and resources from the hazards associated with the transport and transfer of liquefied hazardous gas.

The following areas would be established as safety zones during the specified conditions:

(1) The waters within a 500 yard radius around a liquefied hazardous gas tank vessel (LHG T/V), while the vessel is anchored at a designated anchorage area either inside or outside of the Federal breakwater bounding San Pedro Bay;

(2) The waters and land area within 50 yards of a LHG T/V, while the vessel is moored at any berth within the Los Angeles or Long Beach port area, inside the Federal breakwater;

(3) The waters 1000 yards ahead of and within 500 yards of all other sides of a LHG T/V, while the vessel is underway on the waters inside the Federal breakwater bounding San Pedro Bay, or within the waters three (3) miles outside of the Federal breakwater.

Entry into this zone will be prohibited subject to the following exceptions:

(1) When entry is authorized by the Captain of the Port Los Angeles-Long Beach; or

(2) Vessels already moored or anchored when the LHG T/V safety zone is in effect are not required to get underway to avoid entering into the safety zone boundaries detailed above.

The Coast Guard will issue a Broadcast Notice to Mariners advising the marine community of any LHG T/V transits. Once activated, Coast Guard and Los Angeles Harbor Patrol escort vessels will enforce the safety zone around the LGH vessels.

Regulatory Evaluation

This proposed rule is not a significant regulatory action under section 3(f) of Executive Order 12866 and does not require an assessment of potential costs and benefits under section 6(a)(3) of that order. It has been exempted from review by the Office of Management and Budget under that order. It is not

significant under the regulatory policies and procedures of the Department of Transportation (DOT) (44 FR 11040; February 26, 1979). The Coast Guard expects the economic impact of this regulation to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of the Department of Transportation is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider the economic impact on small entities of a rule for which a general notice of proposed rulemaking is required. "Small Entities" may include (1) small businesses and not-for-profit organizations that are independently owned and operated and are not dominant in their fields and (2) governmental jurisdictions with populations of less than 50,000. The Coast Guard will broadcast scheduled transits, enabling other companies with vessels transiting in the area to adjust their vessel movements accordingly, causing minimal economic impact. Since the economic impact of this proposal is expected to be minimal, the Coast Guard certifies that, if adopted, it will not have a significant economic impact on a substantial number of small entities.

Collection of Information

This regulation 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 regulation under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environmental Assessment

The Coast Guard considered the environmental impact of this regulation and concluded that under paragraph 2.B.2 of Commandant Instruction M16475.1B, as revised in 59 FR 38654, July 29, 1994, it will have no significant environmental impact and it is categorically excluded from further environmental documentation. A categorical exclusion determination and environmental analysis checklist are included in the docket.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Reporting and recordkeeping

requirements, Security measures, Waterways.

Proposed Regulation

In consideration of the foregoing, subpart F of part 165 title 33, Code of Federal Regulations, is proposed to be amended as follows:

PART 165—[AMENDED]

1. The authority citation for 33 CFR part 165 continues to read as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.04–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. A new § 165.1101 is added to read as follows:

§ 165.1101 Safety Zone: San Pedro Bay, CA.

(a) *Location.* The following areas are established as safety zones during the specified conditions:

(1) The waters within a 500 yard radius around a liquefied hazardous gas tank vessel (LHG T/V) while the vessel is anchored at a designated anchorage area either inside or outside of the Federal breakwater bounding San Pedro Bay;

(2) The waters and land area within 50 yards of a LHG T/V, while the vessel is moored at any berth within the Los Angeles or Long Beach port area, inside the San Pedro Bay breakwater;

(3) The waters 1000 yards ahead of and within 500 yards of all other sides of a LHG T/V, while the vessel is underway on the waters inside the Federal breakwater bounding San Pedro Bay, or within the waters three (3) miles outside of the Federal breakwater.

(b) *Regulations.* In accordance with the general regulations in § 165.23 of this part, entry into, transit through, or anchoring within this zone is prohibited subject to the following exceptions:

(1) Entry may be authorized by the Captain of the Port; or

(2) Vessels already anchored or moored when the LHG safety zone is in effect are not required to get underway to avoid entering into the safety zone boundaries as listed above.

(c) *Notice.* The Captain of the Port will notify the maritime community of periods during which this safety zone will be in effect via Broadcast Notice to Mariners.

Dated: April 17, 1996.

E.E. Page,
Captain, U.S. Coast Guard, Captain of the Port, Los Angeles-Long Beach, California.
[FR Doc. 96–18329 Filed 7–18–96; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 86

[AMS–FRL–5540–2]

Control of Emissions of Air Pollution From Highway Heavy-Duty Engines

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule; postponement of public hearing and extension of comment period.

SUMMARY: On June 27, 1996, EPA proposed new emission standards and related provisions for heavy-duty engines intended for highway operation, beginning in the 2004 model year (June 27, 1996, 61 FR 33421). This document announces the postponement of the public hearing and the extension of the comment period for the proposed rulemaking.

DATES: EPA will hold a public hearing on the proposal on August 12, 1996, rather than July 25, 1996, from 10:00 am until all testimony has been presented. EPA requests comment on the proposed rulemaking no later than September 12, 1996. More information about commenting on this action and on the public hearing may be found under Public Participation in Section II of **SUPPLEMENTARY INFORMATION** in the June 27 proposed rule.

ADDRESSES: The public hearing will be held at the Marriott Hotel and Conference Center, 1275 South Huron Street, Ypsilanti, MI, (313) 487–2000. Materials relevant to the proposal including the draft regulatory text and Regulatory Impact Analysis (RIA) are contained in Public Docket A–95–27, located at room M–1500, Waterside Mall (ground floor), U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460. The docket may be inspected from 8 a.m. until 5:30 p.m., Monday through Friday. A reasonable fee may be charged by EPA for copying docket materials.

Comments on the proposal should be sent to Public Docket A–95–27 at the above address. EPA requests that a copy of comments also be sent to Chris Lieske, U.S. EPA, Engine Programs and Compliance Division, 2565 Plymouth Road, Ann Arbor, MI 48105.

FOR FURTHER INFORMATION CONTACT: Chris Lieske, U.S. EPA, Engine Programs and Compliance Division, (313) 668–4584.

Dated: July 15, 1996.

Richard Wilson,

Acting Assistant Administrator for Air and Radiation.

[FR Doc. 96–18384 Filed 7–18–96; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No.96–144, RM–8827]

Radio Broadcasting Services; Alamogordo, NM

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Burt Broadcasting, Inc., to allot Channel 300A to Alamogordo, New Mexico, as the community's fourth local commercial FM service. Channel 300A can be allotted to Alamogordo in compliance with the Commission's minimum distance separation requirements with a site restriction of 13.8 kilometers (8.6 miles) north, at coordinates 33–01–26 NL; 105–58–26 WL, to avoid a short-spacing to vacant and unapplied-for Channel 300C at Balderas, Chihuahua, Mexico. Mexican concurrence in the allotment is required since Alamogordo is located within 320 kilometers (199 miles) of the U.S.-Mexican border.

DATES: Comments must be filed on or before August 26, 1996, and reply comments on or before September 10, 1996.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Nora E. Garrote, Esq., Piper & Marbury L.L.P., 1200 19th Street, NW., Suite 700, Washington, DC 20036 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 418–2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No.96–144, adopted June 27, 1996, and released July 5, 1996. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's