

reduced and highway safety will be increased. MDOT requested that the operating schedule for the drawbridge be amended to reduce the number of openings on Saturday afternoons during the summer. This proposal would restrict drawbridge openings for all vessels every Saturday between May 25 through September 15 between the hours of 1 p.m. to 5 p.m. During these times, the bridge need open only on the hour, and must remain in the open position until all waiting vessels pass.

The Coast Guard tested this proposed change from July 13 through August 31, 1996 through a temporary deviation from the regulation, which permitted hourly openings on Saturdays. The test was intended to determine whether the Coast Guard should propose a permanent change to the regulation that would balance the needs of both waterway users and vehicular traffic. No adverse comments were received during the testing period. Information received from the Maryland Department of Transportation, the Ocean City Police Department and the bridgetenders on the US 50 drawbridge indicates that the test substantially improved highway traffic conditions while not causing undue hardships for waterway users. Based on the test results, the Coast Guard believes that this proposed rule will reduce motor vehicle traffic delays and congestion related to summer traffic entering and exiting the town of Ocean City, while still providing for the reasonable needs of navigation.

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 proposed rule to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the U.S. Coast Guard must consider whether this proposed rule will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their field and that

otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because it expects the impact of this proposed rule to be minimal, the Coast Guard certifies under 5 U.S.C. 605(b) that this proposal, if adopted, will not have a significant economic 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 proposed rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that under section 2.B.2.e (32)(e) of Commandant Instruction M16475.1B (as amended, 59 FR 38654, 29 July 1994), this proposed rule is categorically excluded from further environmental documentation. A Categorical Exclusion Determination statement has been prepared and placed in the rulemaking docket.

List of Subjects in 33 CFR Part 117

Bridges.

Regulations

In consideration of the foregoing, the Coast Guard proposes to amend part 117 of Title 33, Code of Federal Regulations as follows:

PART 117—DRAWBRIDGE OPERATION REGULATIONS

1. The authority citation for part 117 continues to read as follows:

Authority: 33 U.S.C. 499; 49 CFR 1.46; 33 CFR 1.05–1(g); section 117.255 also issued under the authority of Pub. L. 102–587, 106 Stat. 5039.

2. Section 117.559 is revised to read as follows:

§ 117.559 Isle of Wight Bay.

The draw of the US50 bridge, mile 0.5, at Ocean City shall open on signal; except that, from October 1 through April 30 from 6 p.m. to 6 a.m., the draw shall open if at least three hours notice is given and, from May 25 through September 15 from 9:25 a.m. to 9:55 p.m. the draw shall open at 25 minutes after and 55 minutes after the hour for a maximum of five minutes to permit

accumulated vessels to pass, except that, on Saturdays from 1 p.m. to 5 p.m., the draw shall open on the hour for any waiting vessels and shall remain in the open position until all waiting vessels pass.

Dated: April 1, 1997.

Kent H. Williams,
Vice Admiral, U.S. Coast Guard, Commander,
Fifth Coast Guard District.

[FR Doc. 97–10150 Filed 4–18–97; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[ND8–1–7233b & ND–001–0001b; FRL–5812–4]

Clean Air Act Approval and Promulgation of State Implementation Plan for North Dakota; Revisions to the Air Pollution Control Rules

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA proposes to approve certain State implementation plan (SIP) revisions submitted by the State of North Dakota with letters dated August 15, 1995 and January 9, 1996. The revisions address air pollution control rules regarding general provisions; open burning; emissions of particulate matter, certain settleable acids and alkaline substances, and fugitives; air pollution emergency episodes; new source performance standards (NSPS); national emission standards for hazardous air pollutants (NESHAPs); and the minor source construction and operating permit programs. The State's January 9, 1996 submittal also revised SIP Chapter 6, Air Quality Surveillance, to identify current activities regarding visibility monitoring. In addition, these submittals included revisions involving the Title V Operating Permits Program, the Acid Rain Program, the restriction of sulfur compound emissions, and emission standards for hazardous air pollutants for source categories, which will be handled separately. Finally, EPA proposes to correct an incorporation by reference error that was made by EPA in an October 20, 1993 rulemaking regarding the State's regulation for sulfur compounds.

In the Final Rules Section of this **Federal Register**, EPA is acting on the State's SIP revisions 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 EPA's actions is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated and the direct final rule will become effective. 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 on this action. Any parties interested in commenting on this document should do so at this time.

DATES: Comments on this proposed rule must be received in writing by May 21, 1997.

ADDRESSES: Written comments on this action should be addressed to Richard Long, Air Program Chief, 8P2-A, at the EPA Regional Office listed below. Copies of the State's submittal and documents relevant to this proposed rule are available for inspection during normal business hours at the following locations: Air Program, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2405; and North Dakota State Department of Health and Consolidated Laboratories, Environmental Health Section, 1200 Missouri Avenue, Bismarck, North Dakota, 58502-5520.

FOR FURTHER INFORMATION CONTACT: Amy Platt, Environmental Protection Agency, (303) 312-6449.

SUPPLEMENTARY INFORMATION: See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: April 7, 1997.

Jack W. McGraw,

Acting Regional Administrator.

[FR Doc. 97-10127 Filed 4-18-97; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

43 CFR Parts 2800, 2920, 4100, 4300, 4700, 5460, 5510, 8200, 8340, 8350, 8360, 8370, 8560, 9210, and 9260

RIN 1004-AC30

[WO-130-1820-00 24 1A]

Law Enforcement; Criminal

AGENCY: Bureau of Land Management, Interior.

ACTION: Proposed rule; withdrawal.

SUMMARY: The Bureau of Land Management (BLM) is withdrawing the

proposed rule to revise and consolidate the BLM's criminal law enforcement regulations. The proposal was published in the **Federal Register** on November 7, 1996. BLM is taking this action in response to the many comments we received on the proposal. This Action in no way diminishes the authority of BLM's Law Enforcement Officers or other employees under the current laws and regulations BLM will continue to enforce the law on public lands we administer.

FOR FURTHER INFORMATION CONTACT: Erica Petacchi, Regulatory Management Group (WO-630), Bureau of Land Management, Mail Stop 401LS, 1849 "C" Street, N.W., Washington, DC 20240; telephone (202) 452-5084 (Commercial or FTS).

SUPPLEMENTARY INFORMATION: On November 7, 1996, BLM published a proposed rule to consolidate and revise the Criminal Law Enforcement regulations. See 61 FR 57605-57621. BLM intended only to simplify and streamline the existing regulations and to consolidate scattered provisions in one new subpart. The initial comment period, which was to close on January 6, 1997, was extended twice for an additional 60 days at the requests of commenters. The comment period closed on March 7, 1997. After the close of the comment period, BLM decided to withdraw the proposed rule in response to misunderstanding and confusion by the public on how the proposed regulations would affect BLM's law enforcement program.

Dated: April 14, 1997.

Bob Armstrong,

Assistant Secretary of the Interior.

[FR Doc. 97-10211 Filed 4-18-97; 8:45 am]

BILLING CODE 4310-84-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 0 and 1

[GC Docket No. 97-113; FCC 97-113]

Electronic Filing of Documents in Rulemaking Proceedings

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In order to implement the changes mandated by the Telecommunications Act of 1996 to serve the public more quickly and efficiently, the Commission is proposing to expand the use of electronic filing in FCC proceedings. There has been positive public response to the

Commission's use thus far of new information technologies. In this proceeding, the Commission proposes to amend its rules to permit the filing of comments in rulemaking proceedings (except broadcast allotment proceedings) over the Internet. This proceeding will make it easier for the public to participate in FCC rulemaking proceedings and is an important step not only in the Commission's ongoing efforts to prepare the FCC for the information age.

DATES: Comments are due May 21, 1997 and reply comments are due June 5, 1997.

ADDRESSES: Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT: Laurence H. Schecker, Office of General Counsel, (202) 418-1720.

SUPPLEMENTARY INFORMATION:

Adopted: April 4, 1997.

Released: April 7, 1997.

I. Introduction

1. In this Notice of Proposed Rulemaking (NPRM), we propose to allow parties to file comments¹ electronically in all FCC informal notice and comment rulemaking proceedings conducted under section 553 of the Administrative Procedure Act, except for broadcast allotment proceedings.² These electronic filings would be given the same treatment and consideration as comments filed on paper. We tentatively conclude that this action will make it significantly easier for members of the public to communicate their views to the Commission, and to review comments that others have filed. We believe that electronic filing will also allow the Commission to improve the efficiency of its own processes, to the benefit of the public.

II. Background

2. The FCC is committed to taking advantage of new information technologies to better serve the public. For nearly two years, we have made virtually every FCC order, notice of proposed rulemaking, public notice, and news release available at no charge through the Internet. We have

¹ Throughout this NPRM, we use the term "comments" to refer to comments, reply comments, and other documents filed in notice and comment rulemaking proceedings prior to the reply comment deadline.

² 5 U.S.C. § 553. Broadcast allotment proceedings are large in number and are therefore not included in this pilot program. In addition, they are restricted under the Commission's ex parte rules, 47 CFR § 1.1208, which increases the chances that electronic filings might not be properly served on the parties.