

Under the Act, as amended, EPA is required to develop criteria for the Administrator's certification of compliance with the 40 CFR part 191 disposal standards. On February 11, 1993, EPA published an Advance Notice of Proposed Rulemaking, 58 FR 8029, in the Federal Register requesting information and comments pertinent to the development of the compliance criteria.

On January 11, 1995, EPA Administrator Carol Browner signed the proposed compliance criteria rule. The 90-day public comment period began on January 30, the date the proposed compliance criteria rule notice appeared at 60 FR 5766 in Part II of the Federal Register, and ended on May 1, 1995. EPA opened a second public comment period on August 1, which ended on September 15, 1995 (60 FR 39131). EPA issued final compliance criteria on February 9, 1996, at 61 FR 5224-5245, approximately one year after proposal in the Federal Register. On March 29, 1996, EPA issued the Compliance Application Guidance (CAG) which provided DOE with specific guidelines regarding the format and content of the compliance certification application and a clear description of the information that EPA would need to make its certification decision. The guidance provided in the CAG is within the framework established by 40 CFR parts 194 and 191 and under the authority of the WIPP Land Withdrawal Act, as amended. On November 15, 1996, EPA published an Advance Notice of Proposed Rulemaking (ANPR) in the Federal Register at 61 FR 58499-58500, entitled "Decision to Certify Whether the Waste Isolation Pilot Plant Complies With the 40 CFR Part 191 Disposal Regulations and the 40 CFR Part 194 Compliance Criteria." The WIPP Land Withdrawal Act, as amended, requires the DOE to demonstrate compliance with EPA's disposal standards and to submit an application for certification of WIPP's compliance to the EPA Administrator. In submitting such an application, the DOE must meet the requirements of the EPA compliance criteria that will be used by the Agency to certify whether or not the WIPP complies with the radioactive waste disposal standards.

If EPA decides that the WIPP meets its radioactive waste disposal standards, then DOE may proceed with the opening of the WIPP. Following the opening of the facility and throughout its operational phase, DOE will be required to submit a re-certification application to EPA every five years. The Agency will review this application and determine whether the WIPP remains in

compliance with the disposal standards. The public will be permitted to inspect and comment on any re-certification application. By law, all public comments must be considered by the Agency prior to making a final decision on WIPP's continued operation.

Dated: January 15, 1997.

Rob Brenner,

*Acting Assistant Administrator for Air and Radiation.*

[FR Doc. 97-1366 Filed 1-17-97; 8:45 am]

BILLING CODE 6560-50-P

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

#### 49 CFR Part 194

[Docket No. PS-130; Notice 4]

RIN 2137-AC30

#### Notice of Public Hearing; Response Plans for Onshore Oil Pipelines

**AGENCY:** Research and Special Programs Administration (RSPA), Office of Pipeline Safety (OPS), DOT.

**ACTION:** Announcement of public hearing; Correction.

**SUMMARY:** In proposed rule document 96-30316 beginning on page 60674 in the issue of Friday, November 29, 1996, RSPA did not include a full agenda. RSPA anticipates a discussion of the interim final rule 49 CFR part 194 in its entirety, including the issues identified in the following draft agenda. RSPA expects the meeting to be attended by a broad cross-section of the pipeline industry, as well as environmental groups, state environmental agencies, and other federal agencies such as the Environmental Protection Agency and the National Transportation Safety Board. The draft agenda is as follows:

January 29, 1997, 8:30 a.m.-4:30 p.m.

New Orleans Hilton Riverside in New Orleans, Louisiana

#### Opening Remarks

Definition of significant and substantial harm

Facility response plan requirements for pipelines transporting hazardous substances

Credit for secondary containment around breakout tanks

Update on RSPA breakout tank regulations, and adoption of API standards 650-653

Changing RSPA plan review cycle from three-year cycle to five-year cycle

Regulatory definition of "oil" for purposes of response planning

Requirement for secondary communications systems for emergency response

Jurisdictional issues for offshore pipelines

Planning for "a substantial threat of a discharge"

Distribution of exercise guidance document

Incorporating the PREP guidance into 49 CFR 194 by reference

Developing a tool to measure how pipeline operators implement their FRP

Adopting the National Response Team's Integrated Contingency Plan

Use of NAVIC-72 & EPA guidelines to assess response resources

Elimination of references to high/low volume port tiers

Requirement for response strategies/techniques

Adjourn

Issued in Washington, D.C. on January 14, 1997.

Richard B. Felder,

*Associate Administrator for Pipeline Safety.*

[FR Doc. 97-1291 Filed 1-17-97; 8:45 am]

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## FEDERAL EMERGENCY MANAGEMENT AGENCY

#### 44 CFR Part 67

[Docket No. FEMA-7202]

#### Proposed Flood Elevation Determinations

**AGENCY:** Federal Emergency Management Agency (FEMA).

**ACTION:** Proposed rule.

**SUMMARY:** Technical information or comments are requested on the proposed base (1% annual chance) flood elevations and proposed base flood elevation modifications for the communities listed below. The base flood elevations and modified base flood elevations are the basis for the floodplain management measures that the community is required either to adopt or to show evidence of being already in effect in order to qualify or remain qualified for participation in the National Flood Insurance Program (NFIP).

**DATES:** The comment period is ninety (90) days following the second publication of this proposed rule in a newspaper of local circulation in each community.

**ADDRESSES:** The proposed base flood elevations for each community are available for inspection at the office of the Chief Executive Officer of each

community. The respective addresses are listed in the following table.

**FOR FURTHER INFORMATION CONTACT:**

Frederick H. Sharrocks, Jr., Chief, Hazard Identification Branch, Mitigation Directorate, 500 C Street SW., Washington, DC 20472, (202) 646-2796.

**SUPPLEMENTARY INFORMATION:** The Federal Emergency Management Agency proposes to make determinations of base flood elevations and modified base flood elevations for each community listed below, in accordance with Section 110 of the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and 44 CFR 67.4(a).

These proposed base flood and modified base flood elevations, together with the floodplain management criteria required by 44 CFR 60.3, are the minimum that are required. They should not be construed to mean that the community must change any existing ordinances that are more stringent in their floodplain management requirements. The community may at any time enact stricter requirements of its own, or pursuant to policies established by other Federal, State, or regional entities. These proposed elevations are used to

meet the floodplain management requirements of the NFIP and are also used to calculate the appropriate flood insurance premium rates for new buildings built after these elevations are made final, and for the contents in these buildings.

**National Environmental Policy Act**

This proposed rule is categorically excluded from the requirements of 44 CFR Part 10, Environmental Consideration. No environmental impact assessment has been prepared.

**Regulatory Flexibility Act**

The Executive Associate Director, Mitigation Directorate, certifies that this proposed rule is exempt from the requirements of the Regulatory Flexibility Act because proposed or modified base flood elevations are required by the Flood Disaster Protection Act of 1973, 42 U.S.C. 4104, and are required to establish and maintain community eligibility in the NFIP. No regulatory flexibility analysis has been prepared.

**Regulatory Classification**

This proposed rule is not a significant regulatory action under the criteria of

Section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

**Executive Order 12612, Federalism**

This proposed rule involves no policies that have federalism implications under Executive Order 12612, Federalism, dated October 26, 1987.

**Executive Order 12778, Civil Justice Reform**

This proposed rule meets the applicable standards of Section 2(b)(2) of Executive Order 12778.

**List of Subjects in 44 CFR Part 67**

Administrative practice and procedure, Flood insurance, Reporting and recordkeeping requirements.

Accordingly, 44 CFR Part 67 is proposed to be amended as follows:

**PART 67—[AMENDED]**

1. The authority citation for part 67 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp., p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp., p. 376.

**§ 67.4 [Amended]**

2. The tables published under the authority of § 67.4 are proposed to be amended as follows:

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
Colorado .....	Colorado Springs (City), El Paso County.	Pine Creek .....	Approximately 950 feet upstream of Interstate 25.	None .....	*6,319
		Pine Creek Tributary .....	Approximately 480 feet upstream of Academy Boulevard.	None .....	*6,441
			Approximately 225 feet above confluence with Pine Creek.	None .....	*6,378
			Approximately 2,100 feet upstream of confluence with Pine Creek.	None .....	*6,398

Maps are available for inspection at the City of Colorado Springs Regional Building Department, 101 West Costilla Street, Colorado Springs, Colorado.

Send comments to The Honorable Robert M. Isaac, Mayor, City of Colorado Springs, P.O. Box 1575, Colorado Springs, Colorado 80901-1575.

	Manitou Springs (City), El Paso County.	Sutherland Creek .....	Approximately 1,200 feet upstream of confluence with Fountain Creek.	None .....	*6,267
			Approximately 1,250 feet upstream of Crystal Hills Boulevard.	None .....	*6,505

Maps are available for inspection at City Hall, 606 Manitou Avenue, Manitou Springs, Colorado.

Send comments to The Honorable Gherald "Bud" Ford, Mayor, City of Manitou Springs, 606 Manitou Avenue, Manitou Springs, Colorado 80829.

	Monument (Town), El Paso County.	Black Forest-Baptist Road Tributary.	At Baptist Road .....	None .....	*7,020
			Approximately 120 feet upstream of Baptist Road.	None .....	*7,022
		Crystal Creek .....	Approximately 70 feet upstream of confluence with Monument Lake.	*6,220 ....	*6,923

State	City/town/county	Source of flooding	Location	#Depth in feet above ground. *Elevation in feet. (NGVD)	
				Existing	Modified
		Dirty Woman Creek .....	Approximately 160 feet downstream of Interstate 25.	None .....	*7,053
			At Mitchell Street .....	*6,883 ....	*6,886
			Just downstream of Westwood Lane .....	None .....	*6,995

Maps are available for inspection at the Town Hall, 166 Second Street, Monument, Colorado.

Send comments to The Honorable Si Bell, Mayor, Town of Monument, 166 Second Street, Monument, Colorado 80132.

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance.")

Dated: January 10, 1997.

Richard W. Krimm,  
Executive Associate Director, Mitigation Directorate.

[FR Doc. 97-1279 Filed 1-17-97; 8:45 am]

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## FEDERAL COMMUNICATIONS COMMISSION

### 47 CFR Part 53

[CC Docket No. 96-149, FCC 96-489]

#### Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as Amended

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** On December 24, 1996, the Commission released a First Report and Order which is published elsewhere in this issue. On the same day, the Commission adopted a Further Notice of Proposed Rulemaking (FNPRM) seeking comment on proposed disclosure requirements to implement section 272(e)(1). The intended effect of this FNPRM is to further the Commission's goal of fostering competition in the telecommunications market.

**DATES:** Comments are due on or before February 19, 1997 and Reply Comments are due on or before March 21, 1997. Written comments by the public on the proposed and/or modified information collections are due February 19, 1997. Written comments must be submitted by the Office of Management and Budget (OMB) on the proposed and/or modified information collections on or before March 24, 1997.

**ADDRESSES:** Comments and reply comments should be sent to Office of the Secretary, Federal Communications Commission, 1919 M Street, N.W., Room 222, Washington, D.C. 20554, with a copy to Janice Myles of the Common Carrier Bureau, 1919 M Street, N.W., Room 544, Washington, D.C. 20554. Parties should also file one copy of any documents filed in this docket with the Commission's copy contractor, International Transcription Services, Inc., 2100 M Street, N.W., Suite 140, Washington, D.C. 20037. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Dorothy Conway, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington, DC 20554, or via the Internet to dconway@fcc.gov, and to Timothy Fain, OMB Desk Officer, 10236 NEOB, 725-17th Street, N.W., Washington, DC 20503 or via the Internet to fain\_t@al.eop.gov.

**FOR FURTHER INFORMATION CONTACT:** Radhika Karmarker, Attorney, Common Carrier Bureau, Policy and Program Planning Division, (202) 418-1580. For additional information concerning the information collections contained in this FNPRM contact Dorothy Conway at 202-418-0217, or via the Internet at dconway@fcc.gov.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Commission's Further Notice of Proposed Rulemaking adopted December 23, 1996 and released December 24, 1996 (FCC 96-489). This FNPRM contains proposed or modified information collections subject to the Paperwork Reduction Act of 1995 (PRA). It has been submitted to the OMB for review under the PRA. OMB, the general public, and other Federal agencies are invited to comment on the proposed or modified information collections contained in this proceeding. The full text of this FNPRM

is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M St., NW., Washington, DC. The complete text also may be obtained through the World Wide Web, at <http://www.fcc.gov/Bureaus/CommonCarrier/Orders/fcc96489.wp>, or may be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M St., NW., Suite 140, Washington, DC 20037.

**Paperwork Reduction Act:** This FNPRM contains either a proposed or modified information collection. The Commission, as part of its continuing effort to reduce paperwork burdens, invites the general public and OMB to comment on the information collections contained in this FNPRM, as required by the Paperwork Reduction Act of 1995, Public Law No. 104-13. Public and agency comments are due at the same time as other comments on this NPRM; OMB notification of action is due March 24, 1997. Comments should address: (a) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (b) the accuracy of the Commission's burden estimates; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

**OMB Approval Number:** 3060-0736.

**Title:** Implementation of the Non-Accounting Safeguards of Sections 271 and 272 of the Communications Act of 1934, as amended.

**Form No.:** N/A.

**Type of Review:** Revision of a currently approved collection.