Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193–0520; telephone: (817) 222–5593.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested parties are invited to participate in this proposed rulemaking by submitting such written data, views, or arguments as they may desire. Comments that provide the factual basis supporting the views and suggestions presented are particularly helpful in developing reasoned regulatory decisions on the proposal. Comments are specifically invited on the overall regulatory, aeronautical, economic, environmental, and energy-related aspects of the proposal. Communications should identify the airspace docket number and be submitted in triplicate to the address listed under the caption **ADDRESSES**. Commenters wishing the FAA to acknowledge receipt of their comments on this notice must submit, with those comments, a self-addressed, stamped, postcard containing the following statement: ''Comments to Airspace Docket No. 99–ASW–08.'' The postcard will be date and time stamped and returned to the commenter. All communications received on or before the specified closing date for comments will be considered before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available for examination in the Office of the Regional Counsel, Southwest Region, Federal Aviation Administration, 2601 Meacham Boulevard, Fort Worth, TX, bothe before and after the closing date for comments. A report summarizing each substantive public contact with FAA personnel concerned with this rulemaking will be filed in the docket

Availability of NPRM's

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Operations Branch, Air Traffic Division, Federal Aviation Administration, Southwest Region, Fort Worth, TX 76193–0520. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRM's should also request a copy of Advisory Circular No. 11–2A that describes the application procedure.

The Proposal

The FAA is considering an amendment to 14 CFR part 71 to revoke the Class D airspace area at Dallas NAS, Dallas, TX. The FAA is taking this action due to the closure of Dallas NAS. The United States Navy no longer requires use of the airspace. The intended effect of this proposal is to revoke the Class D airspace at Dallas NAS since it is no longer needed.

The coordinates for this airspace docket are based on North American Datum 83. Designated Class D airspace areas are published in Paragraph 5000 of FAA Order 7400.9F, dated September 10, 1998, and effective September 16, 1998, which is incorporated by reference in 14 CFR 71.1. The Class D airspace designations listed in this document would be published subsequently in the order.

The FAA has determined that this proposed regulation only involves a revised body of technical regulations that require frequent and routine amendments to keep them operationally current. It, therefore—(1) is not a ''significant rule'' under ''significant regulatory action'' under Executive Order 12866; is not a DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that will only affect air traffic procedures and air navigation, it is certified that this rule, when promulgated, will not have a significant impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

List of Subjects in 14 CFR Part 71

Airspace, Incorporation by reference, Navigation (air).

The Proposed Amendment

In consideration of the foregoing, the Federal Aviation Administration proposes to amend 14 CFR part 71 as follows:

PART 71—DESIGNATION OF CLASS A, CLASS B, CLASS C, CLASS D, AND CLASS E AIRSPACE AREAS; AIRWAYS; ROUTES; AND REPORTING POINTS

1. The authority citation for 14 CFR part 71 continues to read as follows:

Authority: 49 U.S.C. 106(g), 40103, 40113, 40120, E.O. 10854, 24 FR 9565, 3 CFR, 1959–1963 Comp., 389.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of the Federal Aviation Administration Order 7400.9F, *Airspace Designations and Reporting Points*, dated September 10, 1998, and effective September 16, 1998, is amended as follows:

Paragraph 5000 Class D airspace areas.

* * * * *

ASW TX D Dallas NAS Dallas, TX [Removed]

* * * * *

Issued in Fort Worth, TX on March 24, 1999.

Albert L. Viselli,

Acting Manager, Air Traffic Division, Southwest Region.

[FR Doc. 99–8022 Filed 3–31–99; 8:45 am]

BILLING CODE 4910–13–M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 175, 177, 179, 181, and 183

46 CFR Parts 10, 15, 24, 25, 26, 28, 70, 169, and 175

[USCG–1999–5040]

RIN 2115–AF69

Safety of Uninspected Passenger Vessels Under the Passenger Vessel Safety Act of 1993 (PVSA)

AGENCY: Coast Guard, DOT.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: The Coast Guard will propose regulations that implement safety measures for uninspected passenger vessels under the Passenger Vessel Safety Act of 1993 (PVSA). These regulations will implement the new class of uninspected passenger vessel of at least 100 gross tons, address the confusion regarding bareboat charters, provide for the issuance of special permits to certain uninspected passenger vessels, and develop specific manning, structural fire protection, operating, and equipment requirements for a limited fleet of PVSA exempted vessels. To obtain information needed to develop appropriate rules, the Coast Guard asks for comments from the public on the questions listed in this document.

DATES: Comments must reach the Docket Management Facility on or before June 30, 1999.

ADDRESSES: You may mail your comments to the Docket Management Facility, (USCG–1999–5040), U.S. Department of Transportation, room PL–401, 400 Seventh Street SW., Washington DC 20590–0001, or deliver them to room PL–401 on the Plaza level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202–366–9329.

The Docket Management Facility maintains the public docket for this rulemaking. Comments and documents, as indicated in this preamble, will become part of this docket and will be available for inspection or copying at room PL–401 on the Plaza level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at http://www.dms.gov.

FOR FURTHER INFORMATION CONTACT: For questions on this notice, contact Lieutenant Keith B. Janssen, Office of Operating and Environmental Standards, (G–MSO–2), U.S. Coast Guard, telephone 202–267–1055. For questions on viewing, or submitting material to, the docket, contact Dorothy Walker, Chief, Documentary Services Division, Department of Transportation, telephone 202–366–9329.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages you to participate in this rulemaking by submitting written data, views, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (USCG–1999–5040) and the specific section of this document to which each comment applies, and give the reason for each comment. The Coast Guard will consider all comments received during the comment period. Please submit all comments and attachments in an unbound format, no larger than 8½ by 11 inches, suitable for copying and electronic filing to the Docket Management Facility at the address under **ADDRESSES**. Persons wanting acknowledgment of receipt of comments should enclose stamped self-addressed postcards or envelopes.

The Coast Guard plans no public hearing. You may request a public hearing by writing to the Docket Management Facility at the address under **ADDRESSES**. The request should include the reasons why a hearing would be beneficial. If it determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the **Federal Register**.

Background and Purpose

The Passenger Vessel Safety Act of 1993 (PVSA) (Pub. L. 103–206) was signed on December 20, 1993. The PVSA makes several changes to the laws for uninspected passenger vessels. First, the PVSA requires vessels less than 100 gross tons to be inspected as a small passenger vessel if they are:

- Carrying more than 6 passengers, at least one of whom is a passenger for hire, whether chartered or not;
- Carrying more than 6 passengers when chartered with the crew provided or specified; or
- Carrying more than 12 passengers when chartered with no crew provided.

Second, the PVSA establishes a new class of uninspected passenger vessel of at least 100 gross tons. This new class of uninspected passenger vessel is limited to:

- Carrying no more than 12 passengers, at least one of whom is a passenger for hire, whether chartered or not;
- Carrying no more than 12 passengers when chartered with the crew provided or specified; or
- Carrying no more than 12 passengers when chartered with no crew provided.

Uninspected passenger vessels, greater than 100 gross tons, that carry more than 12 passengers for hire are to be inspected as a passenger vessel under 46 CFR Subchapter H.

Third, the PVSA requires the Coast Guard to develop equipment, construction, and operating standards for uninspected passenger vessels greater than 100 gross tons.

Fourth, the PVSA allows the Coast Guard to develop regulations for special permits that allow the operation of uninspected passenger vessels as authorized in section 511 of the PVSA. These special circumstances and conditions were described in Senate Report 103–198 and include among other items that:

- Special permits for uninspected passenger vessels will only be issued for charitable purposes;
- That a certain vessel may only be granted a special permit a maximum of four times per year; and
- That an application for a special permit must be made to and approved by the cognizant Officer in Charge of Marine Inspection prior to the voyage.

Fifth, and finally, the PVSA eliminates confusion regarding the use of bareboat charter agreements for the carriage of passengers for hire. The previous statutory definition of 'passenger' did not limit a vessel from having an unlimited number of charterers (owners). Therefore, vessels that were not certificated by the Coast Guard were able to carry large numbers of people. The PVSA's narrow definition of 'passenger' subjected some formerly chartered vessels to Coast Guard inspection for certification for the first time. The PVSA allowed these vessels to apply for inspection with a phase-in period for compliance. The period for application expired June 21, 1994, and the period for compliance expired on December 21, 1996. With widespread public notification, several hundred charter vessels applied for and met the conditions for certification with the requirements of the PVSA and policy guidance of Navigation and Inspection Circular (NVIC) 7–94. This NVIC is available on the Internet at www.uscg.mil/hq/g-m/nvic/index90.htm. Additionally, the PVSA authorizes the Coast Guard to develop specific operating and equipment requirements for 16 charter vessels greater than 100 gross tons that met exemption criteria contained in the PVSA and NVIC 7–94.

The Coast Guard plans to develop regulations that will implement the new class of uninspected passenger vessel of at least 100 gross tons, address the confusion regarding bareboat charters, provide for the issuance of special permits to certain uninspected passenger vessels, and develop specific operating and equipment requirements for a limited fleet of PVSA exempted vessels.

Assistance for Small Entities

In accordance with section 213(a) of the Small Business Regulatory Enforcement Fairness Act of 1996 (Pub. L. 104–121), the Coast Guard wants to assist small entities in understanding this notice so that they can better evaluate the effects of any future rule on them and participate in the rulemaking process. If your small business or organization is affected by the PVSA and you have questions concerning its provisions or options for compliance, please contact Lieutenant Keith B. Janssen, Office of Operating and Environmental Standards, (G–MSO–2), U.S. Coast Guard, telephone 202–267–1055.

Questions

The Coast Guard asks the public for input on the issues discussed in this document. To help develop a proposed rule, the Coast Guard requests comments on the following questions, although comments on other issues addressed in this document are also welcome. When responding to questions, please explain your reasons for each answer and follow the instructions located under REQUEST FOR COMMENTS.

Questions 1 through 16 refer to uninspected passenger vessels of at least 100 gross tons

(1) The Coast Guard is seeking information regarding the size of the fleet of uninspected passenger vessels of

at least 100 gross tons. Therefore, the Coast Guard requests information regarding the total number of this type of vessel at port, regional, and national levels.

(2) At which ports are these vessels located? Do these vessels operate out of some specific port all year? If not, from which additional port(s) do they operate? Please identify some specific port(s) rather than a region. That helps the Coast Guard identify any port(s) with a large population of this class of vessel. Please indicate what percentage of the year these vessels are in each location.

(3) What type of safety equipment do these vessels ordinarily carry? What type of safety equipment, at a minimum, should the Coast Guard require these vessels to carry? Examples of safety equipment include, but are not limited to: Type I personal flotation devices; ring life buoys; life rafts; auxiliary vessels; emergency position indicating radio beacon (EPIRB); high water alarms; fire and smoke alarms/detectors; and other fire fighting equipment or systems. What standard(s) should the safety equipment meet? Examples of existing standards for safety equipment include, but are not limited to: American Yacht and Boat Council (AYBC); National Fire Protection Association (NFPA); or American Bureau of Shipping (ABS).

(4) What generally accepted construction standard(s) should these vessels meet? Examples of generally accepted construction standards include, but are not limited to: AYBC, NFPA, or ABS. Do any applications or systems on these vessels currently meet generally accepted standards? Which generally accepted standards normally apply to which application or systems? Examples of applications and systems include, but are not limited to: lifesaving equipment, heating/cooling facilities, marine sanitation devices, structural fire-protection devices, and electrical wiring.

(5) Do owners, operators, or charter brokers require a minimum level of licensing and experience for a vessel operator? If so, what are those requirements? What licensing requirements should the Coast Guard require for operators of uninspected passenger vessels of at least 100 gross tons?

(6) How many businesses operate a full-time or part-time charter or passenger-for-hire service operation for this type of vessel? What portion of these businesses employ less than 500 people?

(7) Are these vessels operated in passenger-for-hire service on a full-time or part-time basis? How often are these vessels used in personal or recreational service compared to the time these same vessels are used in passenger-for-hire service? Please indicate the time on an annual basis by days.

(8) What are current, advertised daily or weekly charter rates for this class of vessel? What are current, advertised daily or weekly passenger-for-hire service rates for this class of vessel? How will the implementation of the PVSA impact charter or passenger-for-hire service rates?

(9) How many days per year do these vessels currently operate in charter or passenger-for-hire service? How will the implementation of the PVSA impact the number of days per year that these vessels operate in charter or passenger-for-hire service?

(10) On average, how many hours per day do these vessels spend underway with at least one passenger for hire aboard?

(11) Are these vessels underway in the passenger-for-hire service more than 12 hours during a 24-hour period? If so, is this representative of normal operations or the occasional voyage? If possible, please identify the annual breakdown of passenger-for-hire service voyages less than and more than 12 hours duration in a 24-hour period. Please indicate this information by percentage.

(12) On which route(s) do these vessels operate routinely? On which route(s) do these vessels operate occasionally? Do traditional routes exist? If so, where?

(13) Are the majority of voyage itineraries for these vessels individually (custom) planned or are they regularly scheduled?

(14) What is the percentage breakdown between domestic and international voyages? Please indicate percentages on an annual basis.

(15) What are the major areas of concern regarding the impact that the implementation of the PVSA might have on the vessel fleet? Are there any generally recognized problems within the vessel fleet that should be addressed by regulation?

(16) What are other general areas of concern regarding possible regulatory action to implement the PVSA?

Question 17 refers to any uninspected passenger vessel

The PVSA allows the Coast Guard to develop regulations for special permits that allow the operation of uninspected passenger vessels as authorized in section 511 of the PVSA. These special circumstances and conditions were described in Senate Report 103–198 and include among other items that:

- Special permits for uninspected passenger vessels will only be issued for charitable purposes;
- That a certain vessel may only be granted a special permit a maximum of four times per year; and
- That an application for a special permit must be made to and approved by the cognizant Officer in Charge of Marine Inspection prior to the voyage.

(17) Based on this criteria, should the Coast Guard develop regulations to allow a special permit for uninspected passenger vessels? Please identify the reason(s) for your answer(s).

Dated: March 26, 1999.

R.C. North,

Assistant Commandant for Marine Safety and Environmental Protection.

[FR Doc. 99–8024 Filed 3–31–99; 8:45 am]

BILLING CODE 4910–15–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[MO 067–1067b; FRL–6315–8]

Approval and Promulgation of Implementation Plans; State of Missouri

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the SIP revision submitted by the state of Missouri related to revisions to Missouri's Open Burning Rule (10 CSR 10–3.030) and Sampling Methods Rule (10 CSR 10–6.030). In the final rules section of this **Federal Register**, the EPA is approving the state's SIP submittal as a direct final rule without prior proposal, because the Agency views this as a noncontroversial submittal 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 this action, no further activity is contemplated. 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. Any parties interested in commenting on this action should do so at this time.

DATES: Written comments must be received on or before May 3, 1999.

ADDRESSES: All comments should be addressed to Joshua A. Tapp at the