12612 and has determined that this proposal does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under paragraph 2.B.2. of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' will be available in the docket for inspection or copying where indicated under **ADDRESSES**.

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 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 117.587 is revised to read as follows:

§ 117.587 Apponagansett River.

The Padanaram Bridge, mile 1.0 at Dartmouth, shall operate as follows:

(a) From May 1 through October 31, the bridge shall open on signal:

(1) Twice an hour, on the hour and the half hour between 5 a.m. and 9 a.m. and between 8 p.m. and 9 p.m.;

(2) Once an hour, on the hour between 9 a.m. and 8 p.m.

(b) At all other times the bridge shall open if at least four (4) hours advance notice is given.

(c) Mooring facilities shall be maintained for vessels to make fast while waiting for the bridge to open.

(d) The owners of this bridge shall provide, and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

3. Appendix A to part 117 is amended by adding the Apponagansett River entry in alphabetical order under the State of Massachusetts subheading to read as follows:

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

Waterway	Mile	Location	Bridge name and owner	Call signs	Calling channel	Working channel
*	*	*	*	*	*	*
Massachusetts						
*	*	*	*	*	*	*
Apponagansett River	1.0	Dartmouth	Padanaram, Town of Dartmouth		13	13
*	*	*	*	*	*	*

Dated: February 6, 1995.

J.L. Linnon,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 95–4906 Filed 2–27–95; 8:45 am]

BILLING CODE 4910–14–M

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33 CFR Part 117

[CGD01–95–001]

RIN 2115–AE47

Drawbridge Operation Regulations; Lagoon Pond, Tisbury, MA

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard is considering a change to the regulations governing the Lagoon Pond Bridge over Lagoon Pond at mile 0.0 in Tisbury, Massachusetts. The special operating regulations formerly published at 33 CFR 117.79 were deleted in error. The bridge has not been operating in accordance with the existing general regulations. This proposal is being considered to correct the deletion error and republish the operating regulations for the bridge.

DATES: Comments must be received on or before May 1, 1995.

ADDRESSES: Comments may be mailed to Commander (obr), First Coast Guard District, Captain John Foster Williams Federal Building, 408 Atlantic Ave., Boston, Massachusetts 02110–3350, or may be hand-delivered to room 628 at the same address between 6:30 a.m. and 3 p.m., Monday through Friday, except federal holidays. The telephone number is (617) 223–8364. The comments will become part of this docket and will be available for inspection and copying by appointment at the above address.

FOR FURTHER INFORMATION CONTACT: John W. McDonald, Project Officer, Bridge Branch, (617) 223–8364.

SUPPLEMENTARY INFORMATION:

Request for Comments

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD01–95–001), the specific section of the proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format no larger than 8½″ by 11″, suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed post card or envelope.

The Coast Guard will consider all comments received during the comment period, and may change this proposal in light of comments received. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (obr), First Coast Guard District at the address listed under **ADDRESSES.** The request should include reasons why a hearing would be beneficial. If the Coast Guard 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**.

Drafting Information

The drafters of this notice are Mr. John W. McDonald, Project Officer, Bridge Branch, and Lieutenant

Commander Samuel R. Watkins. Project Counsel, District Legal Office.

Background and Purpose

The Lagoon Pond Bridge over Lagoon Pond in Tisbury, Massachusetts, has a vertical clearance of 15′ above mean high water (MHW) and 17′ above mean low water (MLW). Through an error, the previous special operating regulations for this bridge were deleted from 33 CFR 117.79. Therefore, the bridge currently is required to open on signal at all times under the general operating regulations for drawbridges. Regulations published in the **Federal Register** of October 7, 1982 (47 FR 44258) required that the draw:

(a) Open on signal from September 16 through May 14 provided 24 hours advance notice is given.

(b) From May 15 through September 15, open on signal only from 8:15 a.m. to 8:45 a.m., 10:15 a.m. to 11 a.m., 3:15 p.m. to 4 p.m., 5 p.m. to 5:45 p.m., and 7:30 p.m. to 8 p.m. Throughout the remainder of this period, the draw was required to open for the passage of vessels if 4 (four) hours advance notice is given.

(c) Open at any time for public vessels of the United States, any vessels of state or municipal governments used for public safety, and in case of emergency or during severe storm conditions.

The bridge owner, the Massachusetts Highway Department (MHD), has been operating the bridge in accordance with the deleted regulations on an unofficial basis. The Coast Guard is proposing to publish regulations that reinstate the operating hours of the bridge contained in the erroneously deleted rule.

Discussion of Proposed Amendments

The MHD, after being advised of the deletion of the regulations covering the Lagoon Pond Bridge, requested that operating hours for the bridge be published to read as follows:

(a) The draw shall open on signal from May 15 through September 15, from 8:15 a.m. to 8:45 a.m., from 10:15 a.m. to 11 a.m., from 3:15 p.m. to 4 p.m., from 5 p.m. to 5:45 p.m., and from 7:30 p.m. to 8 p.m. At all other times the draw will open for the passage of vessels if at least four (4) hours advance notice is given by calling the number posted at the bridge.

(b) The draw shall open on signal from September 16 through May 14, if at least twenty-four (24) hours advance notice is given by calling the number posted at the bridge.

(c) The owners of this bridge shall provide, and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

Under the proposed rule, Appendix A to Part 117 also will be amended to add the Lagoon Pond Bridge (under the Massachusetts subheading) to advise mariners that a marine radio is installed at the bridge for requesting openings.

The public vessel/emergency opening provisions of the deleted rule will not be incorporated into the proposed new rule. Those provisions are now contained in 33 CFR 117.31, a general regulation applicable to all drawbridges.

Regulatory Evaluation

This proposal 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 proposal to be so minimal that a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that the regulation will not prevent mariners from transiting the Lagoon Pond Bridge. It will require only that mariners plan their transits.

Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal if adopted, 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 fields and that otherwise qualify as ''small business concerns'' under section 3 of the Small Business Act (15 U.S.C. 632). For the reasons discussed in the Regulatory Evaluation above, 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 proposal does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under paragraph 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, this proposal is categorically excluded from further environmental documentation. A ''Categorical Exclusion Determination'' is available in the docket for inspection or copying where indicated under **ADDRESSES.**

List of Subjects in 33 CFR Part 117

Bridges.

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 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 117.600 is added to read as follows:

§ 117.600 Lagoon Pond.

The draw of the Lagoon Pond Bridge, mile 0.0, in Tisbury, Massachusetts, shall operate as follows:

(a) The draw shall open on signal from May 15 through September 15, from 8:15 a.m. to 8:45 a.m., from 10:15 a.m. to 11 a.m., from 3:15 p.m. to 4 p.m., from 5 p.m. to 5:45 p.m., and from 7:30 p.m. to 8 p.m. At all other times the draw will open from the passage of vessels if at least four (4) hours advance notice is given by calling the number posted at the bridge.

(b) The draw shall open on signal from September 16 through May 14 if at least twenty-four (24) hours advance notice is given by calling the number posted at the bridge.

(c) The owners of this bridge shall provide and keep in good legible condition, clearance gauges for each draw with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of § 118.160 of this chapter.

3. Appendix A to part 117 is amended by adding an entry in alphabetical order under the heading ''Massachusetts'' for Lagoon Pond to read as follows:

APPENDIX A TO PART 117—DRAWBRIDGES EQUIPPED WITH RADIOTELEPHONES

Waterway	Mile	Location	Bridge name and owner	Call sign	Calling channel	Working channel
*	*	*	*	*	*	*
Massachusetts.						
*	*	*	*	*	*	*
Lagoon Pond	0.0	Tisbury	Lagoon Pond	MHD	13	13
*	*	*	*	*	*	*

Dated: January 11, 1995.

J.L. Linnon,

Rear Admiral, U.S. Coast Guard, Commander, First Coast Guard District.

[FR Doc. 95–4905 Filed 2–27–95; 8:45 am]

BILLING CODE 4910–14–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL–5162–5]

Open Meeting of the Negotiated Rulemaking Advisory Committee for Small Nonroad Engine Regulations

AGENCY: Environmental Protection Agency.

ACTION: FACA committee meeting; Negotiated rulemaking on small nonroad engine regulations.

SUMMARY: As required by section 9(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), EPA is giving notice of the next meeting of the Advisory Committee to negotiate a rule to reduce air emissions from small nonroad engines. The meeting is open to the public without advance registration. The purpose of the meeting is to continue identification and discussion of issues, discuss interests of committee members, and hear reports from task groups.

DATES: The committee will meet on March 21 and 22, 1995 from 10 a.m. to 6 p.m.

ADDRESSES: The location of the meeting will be the Holiday Inn East, 3750 Washtenaw, Ann Arbor, MI 48104, (313) 971–2000.

FOR FURTHER INFORMATION CONTACT: Persons needing further information on the technical and substantive matters of the rule should contact Betsy McCabe, National Vehicle and Fuel Emissions Laboratory, 2565 Plymouth Rd., Ann Arbor Michigan 48105, (313) 668–4344. Persons needing further information on committee procedes should call Deborah Dalton, Consensus and Dispute Resolution Program, Environmental Protection Agency, 401 M Street, SW., Washington, DC 20460, (202) 260–5495, or the Committee's facilitator, Lucy More or John Folk-Williams, Western Network, 616 Don Gaspar, Santa Fe, New Mexico 87501, (505) 982–9805.

Dated: February 23, 1995.

Deborah Dalton,

Designated Federal Official, Deputy Director, Consensus and Dispute Resolution Program.

[FR Doc. 95–4892 Filed 2–27–95; 8:45 am]

BILLING CODE 6560–50–M

40 CFR Part 52

[CA 78–2–6824; FRL–5162–4]

Approval and Promulgation of Implementation Plans; California Implementation Plan Revision; South Coast Air Quality Management District

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice of proposed rulemaking.

SUMMARY: EPA is proposing to conditionally approve revisions to the California State Implementation Plan (SIP) which concern the control of oxides of nitrogen (NO_X) and oxides of sulfur (SO_X) emissions using an emissions-limiting economic incentives program, the NO_X and SO_X Regional Clean Air Incentives Market (NO_X and SO_X RECLAIM). This program, which consists of twelve rules and associated appendices known as Regulation XX, applies to facilities in the South Coast Air Quality Management District (SCAQMD) with four or more tons of NO_X or SO_X emissions per year from permitted equipment. The subject facilities, in order to meet annual emission reduction requirements, will participate in an economic incentive program (EIP) in order to reduce emissions at a significantly lower cost.

The intended effect of proposing approval of Regulation XX is to regulate emissions of NO_X and SO_X in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). EPA's final action on this notice of proposed rulemaking (NPRM) will incorporate this regulation into the federally approved SIP. EPA has evaluated this regulation and is proposing to conditionally approve it under provisions of the CAA regarding EPA action on SIP submittals, SIPs for national primary and secondary ambient air quality standards and plan requirements for nonattainment areas. The EPA's final conditional approval is contingent on the SCAQMD providing the Agency with an enforceable commitment which addresses and cures all of the deficiencies associated with NO_X and SO_X RECLAIM within 12 months of the publication of the proposed conditional approval. In the event that SCAQMD fails to provide EPA with such a commitment, then EPA will publish a final rule to approve NO_X and SO_X RECLAIM in the form of a limited approval/limited disapproval action. Both the conditional approval action and the limited approval/limited disapproval action are discussed in this NPRM.

DATES: Comments must be received on or before March 30, 1995.

ADDRESSES: Comments may be mailed to: Daniel A. Meer, Rulemaking Section (A–5–3), Air and Toxics Division, U.S. Environmental Protection Agency, Region IX, 75 Hawthorne Street, San Francisco, CA 94105.

Copies of the new regulation and EPA's evaluation report of the regulation are available for public inspection at EPA's Region 9 office (address above) during normal business hours. Copies of the submitted regulation are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 ''L'' Street, Sacramento, CA 95814.

South Coast Air Quality Management District, 21865 E. Copley Drive, Diamond Bar, CA 91765–4182.

FOR FURTHER INFORMATION CONTACT: Kenneth Israels, Rulemaking Section (A–5–3), Air and Toxics Division,