revision 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 the approval 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 in relation to this rule. If the EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule.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 on this action.

DATES: Comments on this proposed rule must be received in writing by November 24, 1995.

ADDRESSES: Written comments should be addressed to Montel Livingston, Environmental Protection Specialist (AT–082), Air Programs Section, at the EPA Regional Office listed below. Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day.

U.S. Environmental Protection Agency, Region 10, Air Programs Section, 1200 6th Avenue, Seattle, WA 98101.

The Alaska Department of Environmental Conservation, 410 Willoughby, suite 105, Juneau, AK 99801–1795.

FOR FURTHER INFORMATION CONTACT: Montel Livingston, Air Programs Branch (AT–082), EPA, 1200 6th Avenue, Seattle, WA 98101, (206) 553–0180.

SUPPLEMENTARY INFORMATION: See the information provided in the direct final action which is located in the rules section of this Federal Register.

Dated: August 30, 1995.

Chuck Clarke,

Regional Administrator.

[FR Doc. 95–26317 Filed 10–23–95; 8:45 am]

BILLING CODE 6560–50–P

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40 CFR Part 52

[WA41–1–7114b; FRL–5283–7]

Approval and Promulgation of State Implementation Plans: Washington

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the Regulations of the Northwest Air Pollution Authority (NWAPA) for the control of air pollution in Island, Skagit, and Whatcom Counties, Washington, as revisions to the Washington State Implementation Plan (SIP). In accordance with state law, NWAPA rules must be at least as stringent as the Washington Department of Ecology (WDOE) statewide rules.

DATES: Comments on this proposed rule must be received in writing by November 24, 1995.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, Air Programs Branch (AT–082), EPA, 1200 Sixth Avenue, Seattle, Washington 98101.

Copies of the documents relevant to this proposed rule are available for public inspection during normal business hours at the following locations. The interested persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day: U.S. Environmental Protection Agency, Region 10, Air Programs Section, 1200 6th Avenue, Seattle, WA 98101, and the Washington State Department of Ecology, P.O. Box 47600, PV–11, Olympia, WA 98504–7600.

FOR FURTHER INFORMATION CONTACT: Stephanie Cooper, Air Programs Branch (AT–082), EPA, Region 10, Seattle, Washington 98101, (206) 553–6917.

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

Dated: August 8, 1995.

Charles Findley,

Acting Regional Administrator.

[FR Doc. 95–26201 Filed 10–23–95; 8:45 am]

BILLING CODE 6560–50–P

DEPARTMENT OF TRANSPORTATION

Coast Guard

46 CFR Part 10

[CGD 85–089]

RIN 2115–AB99

Training in the Use of Automatic Radar Plotting Aids (ARPA)

AGENCY: Coast Guard, DOT.

ACTION: Notice of withdrawal.

SUMMARY: This rulemaking was initiated to established a requirement for training in the use of ARPA for licensed deck officers on vessels fitted with ARPA units. Existing International Maritime Organization (IMO) guidelines were used in drafting the proposed requirements. These IMO guidelines and other requirements were recently reflected in the 1995 Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW). As a result, the Coast Guard is withdrawing this proposed rulemaking with the intention of initiating a new rulemaking implementing the new STCW requirements when they become effective in February 1997.

DATES: This withdrawal is made on October 24, 1995.

FOR FURTHER INFORMATION CONTACT: Mr. Christopher Young, Project Manager, Office of Marine Safety, Security and Environmental Protection (G–MOS–1), (202) 267–0229.

SUPPLEMENTARY INFORMATION: On March 7, 1990, the Coast Guard published a Notice of Proposed Rulemaking (NPRM) (55 FR 8155) titled ''Training in the use of Automatic Radar Plotting Aids (ARPA),'' docket number CGD 85–089, which solicited comments on the proposal to require ARPA training. Twenty-two written comments were received. In general, the comments expressed concerns with applicability of the training, specific standards and costs associated with the proposed requirement.

Since the publication of the NPRM, an international conference has adopted amendments to the STCW Convention, including a requirement that officers of the navigational watch on seagoing ships which are fitted with ARPA be trained in the use of radar and ARPA. The amendments are scheduled to come into effect on February 1, 1997.

As a result, the Coast Guard will address ARPA Training requirements when regulations are promulgated to implement the 1995 amendments to the STCW Convention.

Dated: October 13, 1995.

J.C. Card,

Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Safety, Security and Environmental Protection.

[FR Doc. 95–26261 Filed 10–23–95; 8:45 am]

BILLING CODE 4910–14–M

National Highway Traffic Safety Administration

49 CFR Part 571

[Docket No. 95–84; Notice 01]

RIN 2127–AF70

Federal Motor Vehicle Safety Standards; Head Restraints

AGENCY: National Highway Traffic Safety Administration (NHTSA), DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: This proposed rule proposes to delete one of two alternative performance requirements for head restraints. That alternative involves a testing procedure that is more cumbersome than the one in the other alternative and has rarely, if ever, been used by manufacturers. Accordingly, removing this alternative would not adversely affect the manufacturers. Further, removal would simplify the language of the standard. This document also proposes to amend several sections of Standard No. 202 to reduce the administrative burdens of this standard. This proposal would clarify the test procedures by replacing the ''rearmost portion of the head form'' with a reference to the portion of the head form in contact with the head restraint. This proposal would also specify that head restraints on bench-type seats are loaded simultaneously during compliance testing. NHTSA believes that these amendments would reduce confusion and allow manufacturers to certify compliance with lower test costs.

DATES: Comments must be received by December 26, 1995.

ADDRESSES: Comments should refer to the docket and notice number of this notice and be submitted to: Docket Section, Room 5109, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590. (Docket Room hours are 9:30 a.m.–4 p.m., Monday through Friday.)

FOR FURTHER INFORMATION CONTACT: For non-legal issues: Edward Jettner, Frontal Crash Protection Division, Office of Vehicle Safety Standards, NPS–12, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, telephone: (202) 366–4917, fax (202) 366–4329.

For legal issues: Mary Versailles, Office of Chief Counsel, NCC–20, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, telephone: (202) 366–2992, fax (202) 366–3820.

SUPPLEMENTARY INFORMATION: Pursuant to the March 4, 1994 directive, ''Regulatory Reinvention Initiative,'' from the President to the heads of departments and agencies, NHTSA has undertaken a review of all its regulations and directives. During the course of this review, the agency identified several requirements and regulations that are potential candidates for amendment or rescission. Some of these provisions were found in Federal Motor Vehicle Safety Standard No. 202, ''Head Restraints.''

Rescission

Currently, Standard No. 202 allows manufacturers a choice of two performance requirements which provide equivalent levels of safety. One alternative, found in S4.3(b) and S5.2, requires the head restraint to have minimum dimensions and to not displace more than 4 inches when a 3,300 inch pound moment is applied to the head restraint. The other alternative, found in S4.3(a) and S5.1, limits rearward displacement of the head restraint to less than 45 degrees during a forward acceleration of at least 8g applied to the seat supporting structure. The second alternative involves a testing procedure that is more cumbersome than the first alternative and subsequently has rarely, if ever, been used. Because this alternative has rarely been used, NHTSA believes that removing this alternative will simplify the regulatory language of the standard without affecting the vehicle manufacturers.

Amendments

The agency also identified several sections of Standard No. 202 which would be amended to reduce the administrative burdens of this standard.

First, during agency compliance testing, questions have occasionally arisen regarding what is the ''rearmost portion of the head form.'' Therefore, the agency is proposing to clarify the standard by replacing the reference to ''rearmost portion of the head form'' with a reference to the portion of the head form in contact with the head restraint.

Second, to reduce compliance testing costs, the agency is proposing to specify that head restraints on bench-type seats are to be loaded simultaneously during testing. If this proposal were adopted, the driver's and right passenger head restraint could be tested in a single test instead of in two separate tests. Under the current test procedure, a load that will produce a 3,300 inch pound moment is applied to the head restraint. That load is then increased until either a 200 pound load is applied or the seat back fails. If simultaneous loads were to cause the seat back to fail before the 200 pound load was applied, this proposal might theoretically allow manufacturers to install less strong head restraints. However, NHTSA has never had a seat back fail during its compliance testing for Standard No. 202. Because the total load would be less than seats are required to withstand by Standard No. 207, *Seating Systems*, NHTSA does not believe that testing head restraints simultaneously would result in a seat or seat failure. Therefore, this amendment would not result in a lessening of the safety requirements of the standard. However, manufacturers could experience minor cost savings as a result of running one test of both head restraints simultaneously, rather than two separate tests.

The agency also wishes to remind the public that it is in the midst of research to determine whether, and if so, how, Standard No. 202 might be upgraded to further reduce whiplash injuries. The results of that research will form the content of a separate notice regarding possible amendments to this standard.

Rulemaking Analyses and Notices

Executive Order 12866 and DOT Regulatory Policies and Procedures

NHTSA has considered the impact of this rulemaking action under E.O. 12866 and the Department of Transportation's regulatory policies and procedures. This rulemaking document was not reviewed under E.O. 12866, ''Regulatory Planning and Review.'' This action has been determined to be not ''significant'' under the Department of Transportation's regulatory policies and procedures. The agency has determined that the economic impacts of this proposed rule are so minimal that preparation of a full regulatory evaluation is not warranted. Since the cost of testing would be on a per vehicle basis, test savings of not more than $100 should result because of reduction in test set-up times.

Regulatory Flexibility Act: NHTSA has also considered the impacts of this notice under the Regulatory Flexibility Act. I hereby certify that this proposed rule would not have a significant economic impact on a substantial number of small entities. As explained above, NHTSA does not anticipate a significant economic impact from this rulemaking action on any entities, including small entities.

Paperwork Reduction Act: In accordance with the Paperwork Reduction Act of 1980 (P.L. 96–511), there are no requirements for information collection associated with this proposed rule.

National Environmental Policy Act: NHTSA has also analyzed this proposed rule under the National Environmental Policy Act and determined that it would not have a significant impact on the human environment.

Executive Order 12612 (Federalism): NHTSA has analyzed this proposal in accordance with the principles and criteria contained in E.O. 12612, and has determined that this proposed rule would not have significant federalism implications to warrant the preparation of a Federalism Assessment.

Civil Justice Reform: This proposed rule would not have any retroactive effect. Under 49 U.S.C. 30103, whenever a Federal motor vehicle safety standard is in effect, a State may not adopt or maintain a safety standard applicable to the same aspect of performance which is not identical to the Federal standard, except to the extent that the state requirement imposes a higher level of performance and applies only to vehicles procured for the State's use. 49 U.S.C. 30161 sets forth a procedure for judicial review of final rules establishing, amending or revoking Federal motor vehicle safety standards. That section does not require submission of a petition for reconsideration or other administrative proceedings before parties may file suit in court.

Submission of Comments

Interested persons are invited to submit comments on the proposal. It is requested but not required that 10 copies be submitted.

All comments must not exceed 15 pages in length. (49 CFR 553.21). Necessary attachments may be appended to these submissions without regard to the 15-page limit. This limitation is intended to encourage commenters to detail their primary arguments in a concise fashion.

If a commenter wishes to submit certain information under a claim of confidentiality, three copies of the complete submission, including purportedly confidential business information, should be submitted to the Chief Counsel, NHTSA, at the street address given above, and seven copies from which the purportedly confidential information has been deleted should be submitted to the Docket Section. A request for confidentiality should be accompanied by a cover letter setting forth the information specified in the agency's confidential business information regulation. 49 CFR Part 512.

All comments received before the close of business on the comment closing date indicated above for the proposal will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible, comments filed after the closing date will also be considered. Comments received too late for consideration in regard to the final rule will be considered as suggestions for further rulemaking action. Comments on the proposal will be available for inspection in the docket. The NHTSA will continue to file relevant information as it becomes available in the docket after the closing date, and it is recommended that interested persons continue to examine the docket for new material.

Those persons desiring to be notified upon receipt of their comments in the rules docket should enclose a self-addressed, stamped postcard in the envelope with their comments. Upon receiving the comments, the docket supervisor will return the postcard by mail.

List of Subjects in 49 CFR Part 571

Imports, Motor vehicle safety, Motor vehicles.

In consideration of the foregoing, it is proposed that 49 CFR Part 571 be amended as follows:

PART 571—FEDERAL MOTOR VEHICLE SAFETY STANDARDS

1. The authority citation for Part 571 would continue to read as follows:

Authority: 49 U.S.C. 322, 30111, 30115, 30117, and 30166; delegation of authority at 49 CFR 1.50.

2. Section 571.202 would be amended by removing S4.3, S5.1, and S5.2 and by revising S4.1, S4.2, and S5, to read as follows:

§ 571.202 Standard No. 202; Head restraints.

* * * * *

S4.1 Except for school buses, a head restraint that complies with S4.2 shall be provided at each outboard front designated seating position. For school buses, a head restraint that complies with S4.2 shall be provided for the driver's seating position.

S4.2 Each head restraint, when adjusted to its fully extended design position, shall comply with S4.2(a) through S4.2(d):

(a) When measured parallel to the torso line, the top of the head restraint shall not be less than 27.5 inches above the seating reference point.

(b) When measured either 2.5 inches below the top of the head restraint or 25 inches above the seating reference point, the lateral width of the head restraint shall be not less than:

(1) 10 inches for head restraints installed on bench-type seats; or

(2) 6.75 inches for head restraints installed on individual seats.

(c) When tested in accordance with S5, any portion of the head form in contact with the head restraint shall not be displaced to more than 4 inches perpendicularly rearward of the displaced extended torso reference line during the application of the load specified in S5(c).

(d) When tested in accordance with S5, the head restraint shall withstand the load specified in S5(d) until one of the following occurs:

(1) Failure of the seat or seat back; or

(2) Application of a load of 200 pounds.

S5. *Demonstration procedure.* Compliance with S4.2 shall be demonstrated in accordance S5(a) through S5(d) with the head restraint in its fully extended design position. Test loads shall be applied simultaneously to head restraints that are installed on bench type seats.

(a) Place a test device, having the back pan dimensions and torso line (centerline of the head room probe in full back position) of the three dimensional SAE J826 (May 1987) manikin, at the manufacturer's recommended design seated position.

(b) Establish the displaced torso reference line by applying a rearward moment of 3,300 in. lb. about the lateral axis through the seating reference point to the seat through the test device back pan located in S5(a).

(c) After removing the back pan, using a 6.5 inch diameter spherical head form or a cylindrical head form having a 6.5 inch diameter in plan view and a 6-inch height in profile view, apply a rearward initial load 2.5 inches below the top of the head restraint that will produce a 3,300 in. lb. moment about the lateral axis through the seating reference point.

(d) Gradually increase the load specified in S5(c) to 200 pounds or until the seat or seat back fails, whichever occurs first.

Issued on October 17, 1995.

Barry Felrice,

Associate Administrator for Safety Performance Standards.

[FR Doc. 95–26157 Filed 10–23–95; 8:45 am]

BILLING CODE 4910–59–P