lease stipulation any drilling requirements.

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[FR Doc. 96–13989 Filed 6–4–96; 8:45 am]

BILLING CODE 4310–MR–M

National Park Service

36 CFR Part 7

RIN 1024–AC45

Big Thicket National Preserve, Moored Houseboats

AGENCY: National Park Service, Interior.

ACTION: Proposed rule.

SUMMARY: The National Park Service (NPS) is proposing regulations that will require all houseboat owners to register their houseboats at the Office of the Superintendent of the Preserve to adhere to regulations pertaining specifically to moored houseboats within the boundaries of the Preserve. This rulemaking will also include regulations pertaining to sanitation and refuse (trash removal), fire extinguishers and personal flotation devices on board houseboats. The addition of the proposed regulations will allow the NPS to identify each houseboat owner in the event emergency notification is needed while the houseboat is vacant. The regulations will also assist the park in monitoring recreational activities directly related to houseboats. These regulations will enhance protection of the resources in the Preserve while providing improved visitor protection services by park personnel.

DATES: Written comments will be accepted through August 5, 1996.

ADDRESSES: Comments should be addressed to: Superintendent, Big Thicket National Preserve, 3785 Milam, Beaumont, Texas 77701.

FOR FURTHER INFORMATION CONTACT: Robert D. Appling, Chief Ranger Big Thicket National Preserve, Telephone 409–839–2689.

SUPPLEMENTARY INFORMATION:

Background

Houseboats have been moored on the Neches River and its tributaries since before Big Thicket National Preserve was established. The mooring of houseboats within the Preserve is considered a traditional use and should be allowed to continue. Houseboat owners are primarily local residents of the Southeast Texas area.

Houseboat owners and the recreational activities associated with these moored houseboats have been mostly unregulated since the Preserve was established in 1974 (16 U.S.C. 698). Activities associated with houseboats have led to the degradation of Preserve resources in a variety of ways, including the poaching of fish and game, damage to and removal of vegetation to establish egress routes, concentrated human use impacts, stream bank erosion and the prohibited discharge of sewage, animal and fish remains, and other aquatic pollutants.

Houseboats have been left unattended for long periods of time and many are utilized only during the approved hunting season. Attempts by Preserve personnel to contact houseboat owners to inform them of damage to their property or to advise them of violations of regulations have proven to be extremely difficult. Many houseboat owners do not have telephones and the park does not have permanent addresses where the owners can be contacted.

The NPS believes that the addition of these regulations will provide for better management of the land and water resources of the Preserve and improve overall communications with houseboat owners by providing accurate and updated information concerning hunting, fishing, boating and water use activities.

Public Participation

It is the policy of the Department of Interior, whenever practicable, to afford the public an opportunity to participate in the rulemaking process. Accordingly, interested persons may submit written comments regarding this proposed rule to the address noted at the beginning of this rulemaking. Big Thicket National Preserve will also publish public notices in local papers informing the general public of the proposed rule. The NPS will review comments and consider making changes to the final rule based upon an analysis of the comments.

Drafting Information. The primary authors of this proposed rule are Robert D. Appling, Chief Ranger and Richard F. Strahan, Chief, Division of Resource Management, and Dennis Burnett, Washington Office of Ranger Activities, National Park Service.

Paperwork Reduction Act

This proposed rule does not contain collections of information requiring approval by the Office of Management and Budget under the Paperwork Reduction Act of 1995.

Compliance With Other Laws

This rule was not subject to Office of Management and Budget review under Executive Order 12866. The Department of the Interior determined that this document will not have a significant economic effect on a substantial number of small entities under the Regulatory Flexibility Act (5 USC 601 *et seq.*). The economic effects of this rulemaking are local in nature and negligible in scope.

The NPS has determined that this proposed rulemaking will not have a significant effect on the quality of the human environment, health and safety because it is not expected to:

(a) Increase public use to the extent of compromising the nature and character of the area or causing physical damage to it;

(b) Introduce incompatible uses which compromise the nature and character of the area or causing physical damage to it;

(c) Conflict with adjacent ownerships or land uses; or

(d) Cause a nuisance to adjacent owners or occupants.

Based on this determination, the regulation is categorically excluded from the procedural requirements of the National Environmental Policy Act (NEPA) by Departmental guidelines in 516 DM 6 (49 FR 21438). As such, neither an Environmental Assessment (EA) nor an Environmental Impact Statement (EIS) has been prepared.

List of Subjects in 36 CFR Part 7

National parks, Reporting and recordkeeping requirements.

In consideration of the foregoing, it is proposed to amend 36 CFR Chapter I as follows:

PART 7—SPECIAL REGULATIONS, AREAS OF THE NATIONAL PARK SYSTEM

1. The authority citation continues to read as follows:

Authority: 16 U.S.C. 1, 3, 9a, 460(q), 462(k); Sec. 7.96 also issued under D.C. Code 8–137 (1981) and D.C. Code 40–721 (1981).

2. Section 7.85 is amended by adding new paragraph (e) to read as follows:

§ 7.85 Big Thicket National Preserve.

* * * * *

(e) *Moored houseboats.* Except as otherwise provided, the following regulations will be applicable:

(1) All houseboats moored on waterways within the boundaries of Big Thicket National Preserve are required to be registered with the Office of the Superintendent, Big Thicket National Preserve. Houseboats will be assigned a number and a decal at the beginning of each calendar year. It is further required that written notification will be given to the Office of the Superintendent prior to relocation of a houseboat from its registered location.

(2) Houseboats will be located a minimum distance of one-half mile from other houseboats.

(3) New houseboats that have buoyancy flotation devices enabling the houseboat to float will be limited to styrofoam-type material or commercially made flotation products such as pontoon floats. Houseboats utilizing containers made of metal (e.g., 55 gallon drums for buoyancy/flotation) will not be permitted unless the container has never been used to store any type of product inside and proof to this effect is provided.

(4) Houseboats will have a chemical or other marine-type approved holding tank or storage container. Discharge of sewage into waters within the Preserve is prohibited.

(5) All trash and other waste material accumulated on houseboats will be properly disposed of outside the Preserve boundaries. Burying or burning trash is prohibited.

(6) All weapons on houseboats will be unloaded and cased.

(7) Houseboats will be equipped with a minimum of one approved Type B-l fire extinguisher, one Type I personal flotation device for each individual occupying the houseboat, and one Type IV buoyant cushion or ring buoy.

(8) Houseboats will have a minimum of three reflective devices located so as to be visible to other marine type traffic from sunset to sunrise.

(9) Fires on Preserve land will not be left unattended and will be completely extinguished before leaving the area of the moored houseboat.

(10) Damage to any trees or vegetation on Preserve land surrounding the moored houseboat is prohibited. This includes such actions as, but not limited to:

(i) Mooring houseboats to trees;

(ii) Nailing objects to trees;

(iii) Clearing of vegetation; and

(iv) Streambank modification.

(11) All persons registering a houseboat within the boundaries of Big Thicket National Preserve will comply with all regulations pertaining to moored houseboats.

Dated: May 9, 1996.

George T. Frampton, Jr.,

Assistant Secretary for Fish and Wildlife and Parks.

[FR Doc. 96–14105 Filed 6–4–96; 8:45 am]

BILLING CODE 4310–70–P

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[OR–14–1–5535; FRL–5514–3]

Approval and Promulgation of State Implementation Plans: Oregon

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: EPA invites public comment on its proposed approval of a State Implementation Plan (SIP) revision submitted by the State of Oregon for the purpose of bringing about the attainment of the National Ambient Air Quality Standards (NAAQS) for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM–10). The implementation plan was submitted by the State to satisfy certain Federal requirements for an approvable moderate nonattainment area PM–10 SIP for the Klamath Falls, Oregon, PM–10 nonattainment area.

DATES: Comments must be postmarked on or before July 5, 1996.

ADDRESSES: Written comments should be addressed to: Montel Livingston, SIP Manager, Office of Air Quality (OAQ–107), EPA, Docket #OR–14–1–5535, 1200 Sixth Avenue, Seattle, Washington, 98101.

Copies of the State's request and other information supporting this proposed action are available for inspection during normal business hours at the following locations: EPA, Office of Air Quality (OAQ–107), 1200 Sixth Avenue, Seattle, Washington 98101, and the Oregon Department of Environmental Quality, 811 SW., Sixth Avenue, Portland, Oregon 97204–1390.

FOR FURTHER INFORMATION CONTACT: Rindy Ramos, EPA, Office of Air Quality (OAQ–107), 1200 Sixth Avenue, Seattle, Washington, 98101, (206) 553–6510.

SUPPLEMENTARY INFORMATION

I. Background

A. 1990 Amendments to the Clean Air Act

The area within the Klamath Falls, Oregon, Urban Growth Boundary (UGB), was designated nonattainment for PM–10 and classified as moderate under Sections 107(d)(4)(B) and 188(a) of the Clean Air Act (CAA), upon enactment of the Clean Air Act Amendments (CAAA) of 1990.[1] See 56 FR 56694 (November 6, 1991) and 40 CFR 81.338. The air quality planning requirements for moderate PM–10 nonattainment areas are set out in Subparts 1 and 4 of Title I of the Act.[2] EPA has issued a ''General Preamble'' describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under Title I of the Act, including those state submittals containing moderate PM–10 nonattainment area SIP requirements (see generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)). Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I advanced in this proposed approval and the supporting rationale. In this rulemaking action for the PM–10 SIP for the Klamath Falls nonattainment area, EPA's proposed action is consistent with its interpretations, discussed in the General Preamble, and takes into consideration the specific factual issues presented in the SIP. Additional information supporting EPA's action on this particular area is available for inspection at the address indicated above. EPA will consider any comments received by the date indicated above.

Those states containing initial moderate PM–10 nonattainment areas (those areas designated nonattainment under Section 107(d)(4)(B)) were required to submit, among other things, the following provisions by November 15, 1991:

1. Provisions to assure that Reasonably Available Control Measures (RACM) (including such reductions in emissions from existing sources in the area as may be obtained through the adoption, at a minimum, of Reasonably Available Control Technology (RACT)) shall be implemented no later than December 10, 1993;

2. Either a demonstration (including air quality modeling) that the plan will provide for attainment as expeditiously as practicable but no later than December 31, 1994, or a demonstration that attainment by that date is impracticable;

3. Quantitative milestones which are to be achieved every 3 years and which demonstrate Reasonable Further

[1] The 1990 Amendments to the Clean Air Act made significant changes to the Act. See Pub. L. No. 101–549, 104 Stat. 2399. References herein are to the Clean Air Act, as amended (''the Act''). The Clean Air Act is codified, as amended, in the U.S. Code at 42 U.S.C., Sections 7401, *et seq.*

[2] Subpart 1 contains provisions applicable to nonattainment areas generally and Subpart 4 contains provisions specifically applicable to PM–10 nonattainment areas. At times, Subpart 1 and Subpart 4 overlap or may conflict. EPA has attempted to clarify the relationship among these provisions in the ''General Preamble'' and, as appropriate, in today's notice and supporting information.