statement is made: ''Comments to Airspace Docket No. 96–ASO–33.'' The postcard will be date/time stamped and returned to the commenter. All communications received 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 light of the comments received. All comments submitted will be available for examination in the Office of the Assistant Chief Counsel for Southern Region, Room 550, 1701 Columbia Avenue, College Park, Georgia 30337, both 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 NPRMs

Any person may obtain a copy of this Notice of Proposed Rulemaking (NPRM) by submitting a request to the Federal Aviation Administration, Manager, Operations Branch, ASO–530, Air Traffic Division, P.O. Box 20636, Atlanta, Georgia 30320. Communications must identify the notice number of this NPRM. Persons interested in being placed on a mailing list for future NPRMs should also request a copy of Advisory Circular No. 11–2A which describes the application procedure.

The Proposal

The FAA is considering an amendment to Part 71 of the Federal Aviation Regulations (14 CFR Part 71) to establish Class E airspace at Milton, FL. A GPS RWY 36 Standard Instrument Approach Procedure (SIAP) has been developed for Peter Prince Field Airport. Controlled airspace extending upward from 700 feet above the surface (AGL) is needed to accommodate this SIAP and for instrument flight rules (IFR) operations at Peter Prince Field Airport. The operating status of the airport will change from VFR to include IFR operations concurrent with publication of this SIAP. Class E airspace designations for airspace areas extending upward from 700 feet or more above the surface are published in Paragraph 6005 of FAA Order 7400.9D dated September 4, 1996, and effective September 16, 1996, which is incorporated by reference in 14 CFR 71.1. The Class E airspace designation listed in this document would be published subsequently in the Order.

The FAA has determined that this proposed regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current. It, therefore, (1) is not a ''significant regulatory action'' under Executive Order 12866; (2) is not a ''significant rule'' under 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 economic 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—[AMENDED]

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., p. 389; 14 CFR 11.69.

§ 71.1 [Amended]

2. The incorporation by reference in 14 CFR 71.1 of Federal Aviation Administration Order 7400.9D, Airspace Designations and Reporting Points, dated September 4, 1996, and effective September 16, 1996, is amended as follows:

Paragraph 6005 Class E airspace areas extending upward from 700 feet above the surface of the earth.

* * * * *

ASO FL E5—Milton, FL [New]

Peter Prince Field Airport, FL
(Lat. 30°38′15″N, long. 86°59′37″W)

That airspace extending upward from 700 feet above the surface within a 6.3-mile radius of Peter Prince Field Airport.

* * * * *

Issued in College Park, Georgia, on November 14, 1996.

Wade T. Carpenter,

Acting Manager, Air Traffic Division, Southern Region.

[FR Doc. 96–30212 Filed 11–26–96; 8:45 am]

BILLING CODE 4910–13–M

14 CFR Part 71

[Airspace Docket No. 96–ANE–22]

Establishment of Class E Airspace; Oxford, ME; Correction

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Direct final rule; correction.

SUMMARY: This action corrects the longitude and latitude coordinates for Oxford County Regional Airport (K81B) in the description of new Class E airspace established to provide for adequate controlled airspace for those aircraft using the new GPS RWY 33 Instrument Approach Procedure.

EFFECTIVE DATE: 0901 UTC, December 5, 1996.

FOR FURTHER INFORMATION CONTACT: Joseph A. Bellabona, Operations Branch, ANE–530.6, 12 New England Executive Park, Burlington, MA 01803–5299; telephone (617) 238–7536; fax (617) 238–7596.

SUPPLEMENTARY INFORMATION:

History

On August 19, 1996, the FAA published in the Federal Register (61 FR 42785) a direct final rule establishing Class E airspace at Oxford, ME. That action was necessary to provide adequate controlled airspace for aircraft using the new GPS RWY 33 Instrument Approach Procedure to Oxford County Regional Airport (K81B). The FAA uses the direct final rulemaking procedure for non-controversial rules when the FAA believes that no adverse public comment will be received. On October 28, 1996, the FAA published in the Federal Register (61 FR 55563) confirmation that the FAA received no adverse comments to this direct final rule, and notice that the original effective date of the rule was extended to December 5, 1996, to allow additional time to coordinate the establishment of the new instrument approach procedure with other agencies. As a result of that coordination, the FAA finds that this action is necessary to correct the longitude and latitude coordinates for the Oxford County Regional Airport that appear in the description of the new Class E airspace at Oxford, ME.

Correction to the Final Rule

Accordingly, pursuant to the authority delegated to me, the geographic coordinates of Oxford County Regional Airport contained in the description of Class E airspace at Oxford, ME, as published in the Federal Register on August 19, 1996 (61 FR 42785), Federal Register document 96–

21092; page 42786, column 1; and the description in FAA Order 7400.9D, dated September 16, 1996, which is incorporated by reference in 14 CFR 71.1; are corrected as follows:

§ 71.71 [Corrected]

Subpart E—Class Airspace

* * * * *

ANE ME E5—Oxford, ME [Corrected]

Oxford County Regional Airport

By removing ''(lat. 44°09′27″N, long. 70°28′53″W)'' and substituting ''(lat. 44°09′23″, long. 70°28′48″W).''

* * * * *

Issued in Burlington, MA on November 19, 1996.

John J. Boyce,

Assistant Manager, Air Traffic Division, New England Region.

[FR Doc. 96–30215 Filed 11–26–96; 8:45 am]

BILLING CODE 4910–13–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[Docket 154, NY22–1; FRL–5652–5]

Approval and Promulgation of Air Quality Implementation Plans; New York: Enhanced Motor Vehicle Inspection and Maintenance Program

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed conditional interim rule.

SUMMARY: EPA is proposing a conditional interim approval of a State Implementation Plan (SIP) revision submitted by the State of New York. This revision establishes and requires the implementation of an enhanced inspection and maintenance (I/M) program in the counties of the Bronx, Kings, Nassau, New York, Queens, Richmond, Rockland, Suffolk (except Fisher's Island), and Westchester Counties. The intended effect of this action is to propose conditional interim approval of the I/M program proposed by the State, based upon the State's good faith estimate, which asserts that the State's network design emission reduction credits are appropriate and the revision is otherwise in compliance with the Clean Air Act (CAA). This action is being taken under section 348 of the National Highway System Designation Act of 1995 (NHSDA) and section 110 of the CAA. EPA is proposing a conditional interim approval because the State's SIP revision is deficient with respect to the following requirements: test procedures; standards and equipment; waiver expenditure requirements; and performance standard modeling.

If the State commits within 30 days of the publication of this proposed conditional interim approval to correct the major deficiencies by dates certain as described below, then this proposed conditional interim approval shall expire pursuant to the NHSDA and section 110 of the CAA on the earlier of 18 months from final interim approval, or on the date EPA takes final action on the state's full I/M SIP. In the event that the State fails to submit a commitment to correct all of the major deficiencies within 30 days after the publication of this proposed conditional interim approval, then EPA is proposing in the alternative to disapprove the SIP revision. If the state does not make a timely commitment but the conditions are not met by the specified date within one year, EPA proposed that this proposed conditional interim approval will convert to a final disapproval. If the conditional interm approval is converted to a disapproval, EPA will notify the State by letter that the conditions have not been met and that the conditional interim approval has been converted to a disapproval.

DATES: Comments must be received on or before December 27, 1996.

ADDRESSES: Written comments on this proposed action may be addressed to: Regional Administrator, Attention: Air Programs Branch, Division of Environmental Planning and Protection, Environmental Protection Agency, Region 2, 290 Broadway, 25th Floor, New York, New York 10007–1866. Copies of the documents relevant to this action are available for public inspection during normal business hours at the address shown above.

Electronic Availability: This document and EPA's technical support document are available at Region 2's site on the Internet's World Wide Web at: http://www.epa.gov/region02/ air/sip/.

FOR FURTHER INFORMATION CONTACT: Rudolph K. Kapichak, Mobile Source Team Leader, Air Programs Branch, Environmental Protection Agency, Region 2, 290 Broadway, 25th Floor, New York, New York 10007–1866, (212) 637–4249.

SUPPLEMENTARY INFORMATION:

I. Background

A. Impact of the National Highway System Designation Act on the Design and Implementation of Enhanced Inspection and Maintenance Programs Under the Clean Air Act

The National Highway System Designation Act of 1995 (NHSDA) establishes two key changes to the enhanced I/M Rule requirements previously developed by EPA. Under the NHSDA, EPA cannot require states to adopt or implement centralized, test-only IM240 enhanced vehicle inspection and maintenance programs as a means of compliance with section 182, 184 or 187 of the CAA. Also under the NHSDA, EPA cannot disapprove a state SIP revision, nor apply an automatic discount to a state SIP revision under section 182, 184 or 187 of the CAA, because the I/M program in such plan revision is decentralized, or a test-and-repair program. Accordingly, the so-called ''50 percent credit discount'' that was established by the EPA's I/M Program Requirements Final Rule, (published November 5, 1992, and herein referred to as the I/M Rule or the federal I/M regulation) has been effectively replaced with a presumptive equivalency criterion, which places the emission reductions credits for decentralized networks on par with credit assumptions for centralized networks, based upon a state's good faith estimate of reductions as provided by the NHSDA and explained below in this section.

EPA's I/M Rule established many other criteria unrelated to network design or test type for states to use in designing enhanced I/M programs. All other elements of the I/M Rule, and the statutory requirements established in the CAA continue to be required of those states submitting I/M SIP revisions under the NHSDA. Therefore, the NHSDA specifically requires that these submittals must otherwise comply in all respects with the I/M Rule and the CAA.

The NHSDA also requires states to swiftly develop, submit, and begin implementation of these enhanced I/M programs, since the anticipated start-up dates developed under the CAA and EPA's I/M Rule have already been delayed. In requiring states to submit their I/M plans within 120 days of the NHSDA passage, and in allowing these states to submit proposed regulations within this time frame for their I/M programs (which can be finalized and submitted to EPA during the interim period) it is clear that Congress intended