

the old drawbridge are no longer necessary and the Coast Guard is removing 33 CFR 117.261(h).

#### Regulatory Evaluation

This rule 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 not been reviewed 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 rule to be so minimal that a full regulatory evaluation under paragraph 10e of the regulatory policy and procedures of DOT is unnecessary. We conclude this because the drawbridge has been replaced with a new bridge.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this rule will have a significant economic impact on a substantial number of small entities. Small entities may include small businesses and not for profit organizations that are independently owned and operated and are not dominant in their field and governmental jurisdictions with populations of less than 50,000. The Coast Guard certifies under 5 U.S.C. 605(b) that this final rule will not have a significant economic impact on a substantial number of small entities, because the drawbridge has been replaced with a new bridge and is no longer necessary.

#### Collection of Information

This rule contains no collection-of-information requirement under the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*).

#### Federalism

The Coast Guard has analyzed this rule under the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

#### Environment

The Coast Guard has considered the environmental impact of this rule and has determined pursuant to section 2.B.2. of Commandant Instruction M16475.1b (as revised by 59 FR 38654, July 29, 1994), that this rule is categorically excluded from further

environmental documentation. Pursuant to this instruction, specifically section 2.B.2e.(32)(e), a Categorical Exclusion checklist and determination has been prepared and are available for inspection and copying.

#### List of Subjects in 33 CFR Part 117

Bridges.

#### Final Regulations

For the reasons set out in the preamble, the Coast Guard amends Part 117 of Title 33, Code of Federal Regulations, as follows:

#### **PART 117—[AMENDED]**

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.

#### **§ 117.261 [Amended]**

2. Section 117.261(h) is removed and reserved.

Dated: December 19, 1996.

J.W. Lockwood,

*Rear Admiral, U.S. Coast Guard, Commander,  
Seventh Coast Guard District.*

[FR Doc. 97–1575 Filed 1–22–97; 8:45 am]

BILLING CODE 4910–14–M

#### **Coast Guard**

#### **33 CFR Part 157**

[CGD 91–045]

RIN 2115–AE01

#### **Operational Measures To Reduce Oil Spills From Existing Tank Vessels Without Double Hulls**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Final rule; extension of comment period.

**SUMMARY:** The Coast Guard is extending the comment period on the under-keel clearance provisions contained in the operational measures final rulemaking to allow an additional 30 days for public comment.

**DATES:** Comments must be received on or before February 26, 1997.

**ADDRESSES:** Comments may be mailed to the Executive Secretary, Marine Safety Council (G–LRA/3406) [CGD 91–045], U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001, or may be delivered to room 3406 at the same address between 9:30 a.m. and 2:00 p.m.; Monday through Friday, except Federal holidays. The telephone number is (202) 267–1477.

The Executive Secretary maintains the public docket for this rulemaking. Comments will become part of this docket and will be available for inspection or copying at room 3406, U.S. Coast Guard Headquarters, between 9:30 a.m. and 2:00 p.m., Monday through Friday, except Federal holidays.

#### **FOR FURTHER INFORMATION CONTACT:**

LCDR Suzanne Englebert, Project Manager, Project Development Division, at (202) 267–1492.

#### **SUPPLEMENTARY INFORMATION:**

#### **Background and Purpose**

On November 27, 1996, the Coast Guard published a partial suspension of regulation with request for comments (61 FR 60189) delaying implementation of certain under-keel clearance requirements and opening a 60 day comment period limited to the provisions of 33 CFR 157.455(a). Since publication of the partial suspension notice, the Coast Guard received a request from a regulated entity for additional information on the under-keel clearance provisions. The information requested has been added to the docket. In light of this addition, the Coast Guard is extending the comment period to allow an additional 30 days to comment on the under-keel clearance provisions.

Dated: January 17, 1997.

G.F. Wright,

*Acting Director of Standards, Marine Safety and Environmental Protection.*

[FR Doc. 97–1637 Filed 1–22–97; 8:45 am]

BILLING CODE 4910–14–M

#### **ENVIRONMENTAL PROTECTION AGENCY**

#### **40 CFR Part 76**

[FRL–5678–1]

RIN 2060–AF48

#### **Acid Rain Program; Nitrogen Oxides Emissions Reduction Program**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Final rule; correction.

**SUMMARY:** On December 19, 1996, the Environmental Protection Agency (EPA) promulgated emission limitations for the second phase of the Nitrogen Oxides Reduction Program under Title IV of the Clean Air Act. These emission limitations will reduce the serious adverse effects of NO<sub>x</sub> emissions on human health, visibility, ecosystems, and materials. This action corrects the effective date and other inadvertent

typographical and administrative errors in the December 19, 1996 final rule. The effective date of the December 19, 1996 rule is corrected from December 19, 1996 to February 17, 1997.

**EFFECTIVE DATE:** The effective date of the December 19, 1996 rule (61 FR 6711) is corrected from December 19, 1996 to February 17, 1997. The remaining corrections in this action are effective February 17, 1997.

**FOR FURTHER INFORMATION CONTACT:** Peter Tsirigotis, Source Assessment Branch, Acid Rain Division (6204J), U.S. Environmental Protection Agency, 401 M Street S.W., Washington, DC 20460 (for technical matters) (202-233-9620); or Dwight C. Alpern (same address) (for legal matters) (202-233-9151).

**SUPPLEMENTARY INFORMATION:** On December 19, 1996 (61 FR 6711), EPA promulgated emission limitations for the second phase of the Nitrogen Oxides Reduction Program under Title IV of the Clean Air Act. Subsequent to publication of the December 19, 1996 rule, EPA identified several inadvertent typographical and administrative errors in the December 19, 1996 document. Today's action corrects those errors.

The December 19, 1996 document incorrectly stated that the effective date of the rule would be the date of publication. As stated elsewhere in the preamble of December 19, 1996 rule, EPA submitted the rule to the U.S. Senate, the U.S. House of Representatives, and the Comptroller of the General Accounting Office under 5 U.S.C. 801(a)(1)(A), as added by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA). The effective date is being revised to February 17, 1997, which is 60 days after the December 19, 1996 publication date, as required by SBREFA.

The several other corrections made by today's action involve correcting the amendatory instructions in the December 19, 1996 rule. For example, the amendatory instruction adding defined terms to the definitions section (§ 76.2) included terms for which no definitions were actually provided or intended to be provided. The incorrectly listed terms are removed from the amendatory instructions.

The remaining corrections involve typographical or similar errors in the rule language itself. For example, the rule provisions establishing cutoffs for application of the emission limitations for cyclone and wet bottom boilers expressed the cutoffs in terms of Maximum Continuous Steam Flow at 100% of Load in lb/hr but the term, "Maximum Continuous Steam Flow at 100% Load", is defined as being

expressed in thousands of lb/hr. The rule provisions are corrected to express the cutoffs in thousands of lb/hr.

Under Executive Order 12866 (58 FR 51735 (October 4, 1993)), this action is not a "significant regulatory action" and is therefore not subject to review by the Office of Management and Budget. In addition, this action does not impose annual costs of \$100 million or more, will not significantly or uniquely affect small governments, and is not a significant federal intergovernmental mandate. With regard to this action, the Agency thus has no obligations under sections 202, 203, 204, and 205 of the Unfunded Mandates Reform Act of 1995 (P.L. 104-4). Moreover, since this action is not subject to notice-and-comment requirements under the Administrative Procedure Act or any other statute, the action is not subject to the provisions of the Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*).

Under 5 U.S.C. 801(a)(1)(A) as added by SBREFA, EPA submitted a report containing this document and any other required information to the U.S. Senate, the U.S. House of Representatives, and the Comptroller General of the General Accounting Office prior to publication of this document in today's Federal Register. This action is not a "major rule" as defined by 5 U.S.C. 804(2).

Dated: January 13, 1997.

Mary D. Nichols,  
*Assistant Administrator for Air and Radiation.*

Accordingly, for the reasons set out above, the publication on December 19, 1996 of the final rule at 61 FR 67112 is corrected as follows:

1. On page 67112, in the first column, the **EFFECTIVE DATE** is corrected to read "February 17, 1997".

2. On page 67162, in the first and second columns, the amendatory instruction 2 is corrected to read "Section 76.2 is amended by revising the definitions of 'coal-fired utility unit' and 'wet bottom' and adding, in alphabetical order, definitions for 'arch-fired boiler', 'combustion controls', 'Maximum Continuous Steam Flow at 100% of Load', 'non-plug-in combustion controls', 'plug-in combustion controls', and 'vertically fired boiler', to read as follows:".

**§ 76.5 [Corrected]**

3. On page 67162, in the third column, the amendatory instruction 3 is corrected to read "Section 76.5 is amended by removing paragraph (g).".

**§ 76.6 [Corrected]**

4. On page 67163, in the first column, § 76.6(a)(2), line 5 is corrected to read

"1060, in thousands of lb/hr. The NO<sub>x</sub> emission control".

5. On page 67163, in the first column, § 76.6(a)(3), line 5 is corrected to read "than 450, in thousands of lb/hr. The NO<sub>x</sub> emission".

6. On page 67163, in the first column, § 76.6(b), line 5 is corrected to end with the words "part 75 of this chapter." The remainder of the line becomes the first line of the amendatory instruction 5.

**§ 76.16 [Corrected]**

7. On page 67163, in the third column, § 76.16(c)(1), line 2 is corrected to read "draft decision on:".

*Appendix B to Part 76 [Corrected]*

8. On page 67164, in the third column, the amendatory instruction 9, line 9 is corrected to read "effectiveness in each place that the words appear and adding, in their" and the amendatory instruction 9, line 20 is corrected to read "the heading of section 2 and the".

[FR Doc. 97-1641 Filed 1-22-97; 8:45 am]

BILLING CODE 6560-50-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

### 48 CFR Parts 1815, 1816, 1852, and 1870

#### Rewrite of the NASA FAR Supplement (NFS)

**AGENCY:** Office of Procurement, National Aeronautics and Space Administration (NASA).

**ACTION:** Final rule.

**SUMMARY:** As part of the National Performance Review initiative to streamline and clarify regulations, NASA issued an interim rule (61 FR 52325-52347, October 7, 1996) as corrected (61 FR 56271, October 31, 1996) which revised part 1815, Contracting by Negotiation, and part 1816, Types of Contracts; made conforming changes to part 1852, Solicitation Provisions and Contract Clauses; and removed subpart 1870.3, NASA Source Evaluation. The interim rule is being adopted as a final rule with minor editorial revisions.

**EFFECTIVE DATE:** January 23, 1997.

**FOR FURTHER INFORMATION CONTACT:** Tom O'Toole, (202) 358-0478.

**SUPPLEMENTARY INFORMATION:** Background

No comments were received by the closing date in response to the interim rule. Several comments were received after the closing date, primarily