This safety zone is necessary to protect spectators and transiting vessels from the potential hazards associated with the launch of the Alaskan Aerospace rocket. The proposed safety zone is intended to becomes effective at 6 a.m. on September 1, 1998, and terminate at 10 p.m. on September 10, 1998.

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 cost 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10(e) of the regulatory policies and procedures of DOT is unnecessary.

Collection of Information

This rule contains no information collection requirements 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 considered the environmental impact of this rule and concluded that, under Figure 2–1, paragraph 34(g) of Commandant Instruction M16475.1C, this rule is categorically excluded from further environmental documentation.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water). Reporting and record keeping requirements, Security measures, Vessels, Waterways.

For the reasons set out in the preamble, the Coast Guard amends 33 CFR part 165 as follows:

PART 165—AMENDED

1. The authority citation for part 165 reads as follows:

Authority: 33 U.S.C. 1231; 50 U.S.C. 191; 33 CFR 1.05–1(g), 6.401–1, 6.04–6, and 160.5; 49 CFR 1.46.

2. Add temporary § 165.T17–003 to read as follows:

§ 165.T17–003 Alaska Aerospace Development Corporation, Narrow Cape, Kodiak Island safety zones.

(a) *Description.* This safety zone includes an area approximately 57 square nautical miles in the Gulf of Alaska, southeast of Narrow Cape, Kodiak Island, Alaska. Specifically, the zone includes the waters of the Gulf of Alaska that are within the area bounded by a line drawn from a point located 57°29.7′ North, 152°18.9′ West, thence southeast to a point located at 57°22.3′ North, 152°07.7′ West, thence southwest to a point located at 57°18.5′ North, 152°16.3′ West, and then northwest to a point located at 57°26.0′ North, 152°27.7′ West, and thence northeast to the point located at 57°29.7′ North, 152°18.9′ West. All coordinates reference Datum: NAD 1983.

(b) *Effective Dates.* This proposed regulation would become effective at 6 a.m. on September 1, 1998, and terminates at 10 p.m. on September 10, 1998.

(c) *Regulations.* (1) The Captain of the Port and the Duty Officer at Marine Safety Office, Anchorage, Alaska can be contacted at telephone number (907) 271–6700 or on VHF marine channel 16.

(2) The Captain of the Port may authorize and designate any Coast Guard commissioned, warrant, or petty officer to act on his behalf in enforcing the safety zone.

(3) The general regulations governing safety zones contained in § 165.23 apply. No person or vessel may enter or remain in this safety zone, with the exception of attending vessels, without first obtaining permission from the Captain of the Port, or his on scene representative. The Captain of the Port, Western Alaska, or his on scene representative may be contacted onboard the U.S. Coast Guard cutter in the vicinity of Narrow Cape via VHF marine channel 16.

Dated: June 1, 1998.

E.P. Thompson,

Captain, U.S. Coast Guard, Captain of the Port, Western Alaska.

[FR Doc. 98–15423 Filed 6–9–98; 8:45 am]

BILLING CODE 4910–15–M

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 80

[FRL–6106–5]

Approval of Colorado's Petition to Relax the Federal Gasoline Reid Vapor Pressure Volatility Standard for 1998, 1999, and 2000

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rulemaking.

SUMMARY: The Environmental Protection Agency (EPA or the Agency) proposes to approve the State of Colorado's January 21, 1998, petition to relax the Reid Vapor Pressure (RVP) standard that applies to gasoline introduced into commerce in the Denver-Boulder area from June 1 to September 15. The Agency proposes to approve a relaxation of the federal RVP standard for this area from 7.8 pounds per square inch (psi) to 9.0 psi for the years 1998, 1999, and 2000, as an amendment to EPA's gasoline volatility regulations. In the final rules section of this **Federal Register**, the EPA is promulgating this amendment as a direct final rule without prior proposal because EPA views this as a noncontroversial action and anticipates no adverse comments. A detailed rationale for this action is set forth in the direct final rule. If no relevant adverse comments are received in response to that direct final rule, no further activity is contemplated in relation to this proposed rule. If EPA receives relevant adverse comments, the direct final rule will be withdrawn and all relevant comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this rulemaking.

DATES: Comments on this proposed rule must be received in writing by July 10, 1998.

ADDRESSES: Materials relevant to this rulemaking have been placed in Docket A–98–04 by EPA. The docket is located at the Docket Office of the U.S. Environmental Protection Agency, 401 M Street, SW, Washington, DC, 20460, Room M–1500 in Waterside Mall and may be inspected from 8:30 a.m. to 5:30 p.m., Monday through Friday. A duplicate public docket CO–RVP–98 has been established at U. S. Environmental Protection Agency Region VIII, 999 18th Street, Suite 500, Denver, CO, 80202–2466, and is available for inspection during normal working hours. Interested persons wishing to examine the documents in this docket should make

an appointment with the appropriate contact at least 24 hours before the visiting day. Contact Scott P. Lee at (303) 312–6736. As provided in 40 CFR part 2, a reasonable fee may be charged for copying docket material. Comments should be submitted (in duplicate if possible) to the dockets listed above, with a copy forwarded to Marilyn Winstead McCall, U. S. Environmental Protection Agency, Fuels and Energy Division, 401 M Street, SW. (Mail Code: 6406J), Washington, D. C. 20460.

FOR FURTHER INFORMATION CONTACT: Marilyn Winstead McCall at (202) 564–9029.

SUPPLEMENTARY INFORMATION:

A. Public Participation and Effective Date

The direct final rule will become effective on July 27, 1998 without further notification unless the Agency receives relevant adverse comments on this proposed rulemaking within 30 days of this document. Should the Agency receive such comments, it will publish a document informing the public that the rule did not take effect. All relevant public comments received within the 30-day comment period will then be addressed in a subsequent final rule based on this proposal. No second comment period on this rule will be instituted.

B. Environmental Impact

This proposed amendment is not expected to have any adverse environmental effects. The Denver-Boulder six-county area has met the 1-hour NAAQS for ozone since 1987. Current air quality is expected to be further maintained by a 9.0 psi RVP gasoline standard.

C. Economic Impact

The proposed continued relaxation of the 7.8 psi RVP gasoline standard to 9.0 psi will avoid a cost increase in gasoline supply levels in the Denver-Boulder area. No new economic burdens will be placed on the local refining industry to implement a change in the RVP standard.

D. Executive Order 12866

Under Executive Order 12866,[1] the Agency must determine whether a regulatory action is ''significant'' and therefore subject to OMB review and the requirements of the Executive Order. The Order defines ''significant regulatory action'' as one that is likely to result in a rule that may:

(1) have an annual effect on the economy of $100 million or more or adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, public health or safety, or State, local, or tribal governments or communities;

(2) create a serious inconsistency or otherwise interfere with an action taken or planned by another agency;

(3) materially alter the budgetary impact of entitlements, grants, user fees, or loan programs or the rights and obligations of recipients thereof; or

(4) raise novel, legal or policy issues arising out of legal mandates, the President's priorities, or the principles set forth in the Executive Order.

It has been determined that this proposed rule is not a ''significant regulatory action'' under the terms of Executive Order 12866 and is therefore not subject to OMB review. Specifically, this proposed rule will not have an annual effect on the economy in excess of $100 million, have a significant adverse impact on competition, investment, employment or innovation, or result in a major price increase. In fact, as discussed elsewhere, this proposed action will reduce the cost of compliance with Federal requirements in this area.

E. Paperwork Reduction Act

Under the Paperwork Reduction Act of 1980, 44 U.S.C. 3501, EPA must obtain OMB clearance for any activity that will involve collecting substantially the same information from ten or more non-Federal respondents. This proposed rule does not create any new information requirements or contain any new information collection activities.

F. Regulatory Flexibility

The Regulatory Flexibility Act generally requires an agency to conduct a regulatory flexibility analysis of any rule subject to notice and comment rulemaking requirements unless the agency certifies that the rule will not have a significant economic impact on a substantial number of small businesses, small not-for-profit enterprises, and small governmental jurisdictions. This proposed rule would not have a significant impact on a substantial number of small entities because the overall impact of this proposed rule is a net decrease in requirements on all entities including small entities. Therefore, I certify that this action will not have a significant economic impact on a substantial number of small entities.

G. Unfunded Mandates

Section 202 of the Unfunded Mandates Reform Act of 1995 requires that the Agency prepare a budgetary impact statement before promulgating a rule that includes a Federal mandate that may result in expenditure by State, local, and tribal governments, in aggregate, or by the private sector, of $100 million or more in any one year. Section 203 requires the Agency to establish a plan for obtaining input from and informing, educating, and advising any small governments that may be significantly or uniquely affected by the rule.

Under section 205 of the Unfunded Mandates Act, the Agency must identify and consider a reasonable number of regulatory alternatives before promulgating a rule for which a budgetary impact statement must be prepared. The Agency must select from those alternatives the least costly, most cost-effective, or least burdensome alternative that achieves the objectives of the rule, unless the Agency explains why this alternative is not selected or the selection of this alternative is inconsistent with the law.

The Agency has determined that this proposed rule does not include a federal mandate that may result in expenditures of $100 million or more for State, local, and tribal governments, in the aggregate, or the private sector in any one year. This proposed rule reduces costs to such entities by relaxing a regulatory requirement. Because small governments will not be significantly or uniquely affected by this proposed rule, the Agency is not required to develop a plan with regard to small governments.

H. Petitions for Judicial Review

Under section 307(b)(1) of the Clean Air Act, petitions for judicial review of this action must be filed in the United States Court of Appeals for the appropriate circuit by August 10, 1998. Filing a petition for reconsideration by the Administrator of the final rule does not affect the finality of the rule for the purposes of judicial review nor does it extend the time within which a petition for judicial review must be filed, and shall not postpone the effectiveness of such rule or action. This action may not be challenged later in proceedings to enforce its requirements. (See section 307(b)(2).)

I. Electronic Copies of Rulemaking

A copy of this proposed action is available on the Internet at www.epa.gov/OMSWWW under the title: ''Relaxation of Federal Gasoline RVP Standard in Denver-Boulder Metropolitan Area.''

[1] 58 *FR* 51735 (October 4, 1993).

J. Statutory Authority

The statutory authority for the action proposed in this notice today is granted to EPA by sections 211 and 301(a) of the Clean Air Act as amended (42 U.S.C. 7545 and 7601(a)).

K. Children's Health Protection

This proposed rule is not subject to E.O. 13045, entitled ''Protection of Children from Environmental Health Risks and Safety Risks'' (62 FR 19885, April 23, 1997), because it does not involve decisions on environmental health risks or safety risks that may disproportionately affect children.

List of Subjects in 40 CFR Part 80

Environmental protection, Administrative practice and procedures, Air pollution control, Fuel additives, Gasoline, Motor vehicle and motor vehicle engines, Motor vehicle pollution, Penalties, Reporting and recordkeeping requirements.

Dated: May 28, 1998.

Carol M. Browner,

Administrator.

[FR Doc. 98–15450 Filed 6–9–98; 8:45 am]

BILLING CODE 6560–50–P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Parts 2 and 15

[ET Docket No. 98–76; FCC 98–100]

Proposed Rules To Further Ensure That Scanning Receivers Do Not Receive Cellular Radio Signals

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: By this *Notice of Proposed Rule Making* (NPRM) the Commission proposes to amend the rules to further prevent scanning receivers from receiving cellular radio telephone signals. The Commission seeks comment on the proposed rule changes.

DATES: Comments must be filed on or before July 10, 1998, and reply comments must be filed July 27, 1998. Interested parties wishing to comment on the information collections should submit comments July 10, 1998.

ADDRESSES: Comments and reply comments should be sent to the Office of Secretary, Federal Communications Commission, Washington DC 20554. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 234, 1919 M Street, N.W., Washington DC 20554, or via electronic mail to jboley@fcc.gov.

FOR FURTHER INFORMATION CONTACT: Rodney P. Conway (202) 418–2904 or Hugh Van Tuyl (202) 418–7506. Via electronic mail: rconway@fcc.gov or hvantuyl@fcc.gov, Office of Engineering and Technology, Federal Communications Commission. For additional information concerning the information collections, or copies of the information collections contained in this NPRM contact Judy Boley at (202) 418–0217, or via electronic mail at jboley@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, ET Docket 98–76, FCC 98–100, adopted May 21, 1998, and released June 3, 1998.

This NPRM contains proposed information collections subject to the Paperwork Reduction Act of 1995 (PRA), Public Law 104–13. The general public, and other Federal agencies are invited to comment on the proposed information collections contained in this proceeding.

A full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, N.W., Washington, D.C., and also may be purchased from the Commission's duplication contractor, International Transcription Service, phone (202) 857–3800, facsimile (202) 857–3805, 1231 20th Street, N.W. Washington DC 20036.

Summary of the NPRM

1. The NPRM contains proposed rules that are needed to improve and strengthen the Commission's regulations prohibiting scanning receivers from tuning frequencies allocated to the cellular radio telephone service (Cellular Service). The NPRM proposes to adopt a signal rejection requirement to prevent scanning receivers from intercepting Cellular Service transmissions when they are ''tuned'' to frequencies outside the Cellular Service.

2. In addition, the NPRM proposes specific design requirements to make it more difficult to modify scanning receivers to receive Cellular Service transmissions.

3. Moreover, the NPRM seeks comment on changing the definition of a scanning receiver to include receivers that automatically tune among less than four frequencies.

4. Further, the NPRM proposes a definition for test equipment and seeks to prohibit kits that when assembled would be capable of receiving and decoding Cellular Service transmissions.

5. Moreover, the NPRM also proposes rules to codify the provisions of section 705 of the Communications Act that prohibit any person or persons from knowingly intercepting and divulging the content of transmissions from the Cellular Service frequency bands. This proposed prohibition will not apply to receivers used in the Cellular Service. The NPRM proposes to implement these requirements for scanning receivers manufactured and imported into the United States 90 days after adoption of the final rules.

Initial Regulatory Flexibility Analysis

6. Need for and Objective of the Rules. This NPRM is initiated to obtain comments regarding the proposed rules which seek to further ensure that scanning receivers do not receive signals from the cellular radiotelephone frequency bands.

7. Legal Basis. The proposed action is authorized under sections 4(j), 301, 302, 303(e), 303(f), 303(g), 303(r), 304 and 307 of the Communications Act of 1934, as amended, 47 U.S.C. 154(i), 301, 302, 303(e), 303(f), 303(g), 303(r), 304 and 307.

8. Reporting, Recordkeeping and Other Compliance Requirements. We propose to establish rules that would require scanning receivers to be manufactured to reduce the possibility of receiving signals from the cellular telephone frequency bands. The proposed rules will require design details and test measurements to be reported to the Commission as part of the normal equipment authorization process under our certification procedure.

9. Federal Rules Which Overlap, Duplicate or Conflict With These Rules. None.

10. Description, Potential Impact and Number of Small Entities Involved. For purposes of this NPRM, the RFA defines a ''small business'' to be the same as a ''small business concern'' under the Small Business Act, 15 U.S.C. 632, unless the Commission has developed one or more definitions that are appropriate to its activities.[1] Under the Small Business Act, a ''small business concern'' is one that: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) meets any additional criteria

[1] See 5 U.S.C. 601(3) (incorporating by reference the definition of ''small business concern'' in 5 U.S.C. 632).