

ADDRESSES: Address all comments concerning this proposed rule to Office of the Secretary, Panama Canal Commission, 1825 I Street, N.W., Suite 1050, Washington, D.C. 20006-5402; or Office of General Counsel, Panama Canal Commission, Balboa, Ancon, Republic of Panama.

FOR FURTHER INFORMATION CONTACT: John A. Mills, Office of the Secretary, Panama Canal Commission, Telephone: (202) 634-6441, Facsimile: (202) 634-6439; Office of General Counsel, Telephone: 011 (507) 272-7511, Facsimile: 011 (507) 272-3748.

SUPPLEMENTARY INFORMATION: On October 17, 1998, the President signed into law a measure which allows the Commission to require potential claimants to carry insurance for damages sustained at the Panama Canal to their vessels, or to the cargo, crew and passengers of such vessels, which arise by reason of their passage through the locks or their presence in the Canal or adjacent waters. This proposed regulation would impose that requirement and would limit the liability of the Commission to only such damages as are in excess of \$1 million.

The Commission is taking these measures in an effort to reduce costs of Canal operations.

This proposed rule involves public property, the Panama Canal, and therefore is excluded from coverage of the Administrative Procedures Act, 5 U.S.C. 553(a)(2). Nevertheless, the Commission has elected generally to follow the notice and comment procedures provided for rulemaking under section 553.

The Commission will consider all timely written comments before publishing the final rule in the **Federal Register**.

The final rule, as approved and published by the Commission, will be effective no earlier than 30 days after the date of its publication as final in the **Federal Register**.

The Commission is exempt from Executive Order 12866 and its provisions do not apply to this rule. Even if the Order were applicable, the rule would not have a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act. The implementation of this rule will have no adverse effect on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Finally, the Secretary of the Panama Canal Commission certifies these

changes meet the applicable standards set out in sections 3(a) and 3(b)(2) of Executive Order 12998.

List of Subjects in 35 CFR Part 117

Panama Canal.

For the reasons stated in the preamble, the Panama Canal Commission proposes to amend 35 CFR part 117 as follows:

PART 117—MARINE ACCIDENTS; INVESTIGATIONS; CONTROL; RESPONSIBILITY

1. The authority citation for part 117 is revised to read as follows:

Authority: 22 U.S.C. 3777-3779, 93 Stat. 487; E.O. 12215, 45 FR 36043.

2. Add a new § 117.7 to part 117 to read as follows:

§ 117.7 Insurance; limitation of liability; subrogation.

(a) A claimant against the Commission under sections 1411 or 1412 of Title 22, United States Code must be covered by insurance in the amount of \$1 million against the types of injuries described in those sections.

(b) The Commission's liability on any claim under sections 1411 or 1412 of Title 22, United States Code shall be limited to amounts in excess of \$1 million.

(c) The Commission may not consider or pay claims presented by or on behalf of an insurer or subrogee of a claimant under section 1411 or 1412 of Title 22, United States Code.

Dated: October 19, 1998.

John A. Mills,

Secretary.

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 52

[FL-065-9623b; FRL-6167-5]

Approval and Promulgation of Implementation Plans and Designation of Areas for Air Quality Planning Purposes; State of Florida

AGENCY: Environmental Protection Agency (EPA).

ACTION: Proposed rule.

SUMMARY: The EPA proposes to approve the State Implementation Plan (SIP) revision submitted by the State of Florida which revises the emissions budget for use in determination of Transportation Conformity in the

Florida Southeast counties of Dade, Broward and Palm Beach. In the final rules section of this **Federal Register**, the EPA is approving the State's SIP revision as a direct final rule without a prior proposal because the Agency views this as a noncontroversial revision 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 that direct final rule, no further activity is contemplated in relation to this proposed rule. If 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 document. Any parties interested in commenting on this document should do so at this time.

DATES: To be considered, comments must be received by November 23, 1998.

ADDRESSES: Written comments should be addressed to: Kelly Sheckler at the Region 4, Environmental Protection Agency, Air Planning Branch, 61 Forsyth Street, Atlanta, Georgia 30303.

Copies of the documents relative to this action are available for public inspection during normal business hours at the following locations. The persons wanting to examine these documents should make an appointment with the appropriate office at least 24 hours before the visiting day. Reference file number FL-065-9623. The Region 4 office may have additional background documents not available at the other locations.

Air and Radiation Docket and Information Center (Air Docket 6102), U.S. Environmental Protection Agency, 401 M Street, SW, Washington, D.C. 20460.

Environmental Protection Agency, Region 4 Air Planning Branch, 61 Forsyth Street, Atlanta, Georgia 30303.

Florida Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida, 32399-2400.

FOR FURTHER INFORMATION CONTACT: Kelly Sheckler at (404) 562-9042. Reference file FL-065-9623.

SUPPLEMENTARY INFORMATION: For additional information see the direct final rule which is published in the rule's section of this **Federal Register**.

Dated: September 3, 1998.

A. Stanley Meiburg,

Acting Regional Administrator, Region 4.

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