

which the maximum balance does not exceed the "Recognized Insurance Coverage." "Recognized Insurance Coverage" means the insurance provided by the Federal Deposit Insurance Corporation, the National Credit Union Share Insurance Fund, and by insurance organizations specifically qualified by the Secretary of the Treasury.

(b) *To perform other services.* (1) The Secretary of the Treasury may authorize a depository to perform other services including, but not limited to: \* \* \*

(2) To obtain authorization to perform services, a depository must:

(i) File with the Secretary of the Treasury an appropriate agreement and resolution of its board of directors authorizing the agreement (both on forms prescribed by the Financial Management Service and available from Federal Reserve banks), and

\* \* \* \* \*

5. Section 202.4 is amended by revising introductory text and paragraphs (c), (d), and (e) to read as follows:

#### **§ 202.4 Agreement of deposit.**

A depository which accepts a deposit under this part enters into an agreement of deposit with the Treasury Department. The terms of this agreement include:

\* \* \* \* \*

(c) The provisions prescribed in Executive Order 11246, entitled "Equal Employment Opportunity," as amended by Executive Orders 11375 and 12086, and regulations issued thereunder at 41 CFR Chapter 60, as amended.

(d) The requirements of section 503 of the Rehabilitation Act of 1973, as amended, and the regulations issued thereunder at 41 CFR part 60-741, requiring Federal contractors to take affirmative action to employ and advance in employment qualified individuals with disabilities.

(e) The requirements of section 503 of the Vietnam Era Veterans' Readjustment Assistance Act of 1972, as amended, 38 U.S.C. 4212, Executive Order 11701, and the regulations issued thereunder at 41 CFR parts 60-250 and 61-250, requiring Federal contractors to take affirmative action to employ and advance in employment qualified special disabled and Vietnam Era veterans.

6. Section 202.6 is amended by revising paragraphs (b) and (e)(1) to read as follows:

#### **§ 202.6 Collateral security.**

\* \* \* \* \*

(b) *Acceptable security.* Types and valuations of acceptable collateral

security will be specified by the Secretary of the Treasury in Treasury procedural instructions.

\* \* \* \* \*

(e) *Disposition of principal and interest payments of the pledged securities after a depository is declared insolvent—*(1) *General.* In the event of the depository's insolvency or closure, or in the event of the appointment of a receiver, conservator, liquidator, or other similar officer to terminate its business, the depository agrees that all principal and interest payments on any security pledged to protect public monies due as of the date of the insolvency or closure, or thereafter becoming due, shall be held separate and apart from any other assets and shall constitute a part of the pledged security available to satisfy any claim of the United States, including those not arising out of the depository relationship.

\* \* \* \* \*

7. Section 202.7 is amended by revising paragraph (a) to read as follows:

#### **§ 202.7 Maintenance of balances within authorizations.**

(a) Government agencies shall contact the Department of the Treasury, Financial Management Service, before making deposits with a financial institution insured by a State or agency thereof or by a corporation chartered by a State for the sole purpose of insuring deposits or accounts. The contact should be directed to the Cash Management Policy and Planning Division, Federal Finance, Financial Management Service, Department of the Treasury, Washington, DC 20227.

\* \* \* \* \*

Dated: June 14, 1996.

Russell D. Morris,

*Commissioner.*

[FR Doc. 96-15900 Filed 6-20-96; 8:45 am]

BILLING CODE 4810-35-P

## **DEPARTMENT OF TRANSPORTATION**

### **Coast Guard**

#### **33 CFR Part 117**

[CGD01-95-171]

RIN 2115-AE47

#### **Drawbridge Operation Regulations; Passaic River, NJ**

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard is proposing a change to the regulations governing the Routes 1 & 9 (Lincoln Highway)

Bridge, mile 1.8, the Point-No-Point Railroad Bridge, mile 2.6, both in Newark, New Jersey, and the Route 7 (Rutgers Street) Bridge, mile 8.9, in Belleville, New Jersey which cross the Passaic River. The proposal would provide openings on signal if at least four hours notice is given. This change was requested by the Consolidated Rail Corporation (CONRAIL) and New Jersey Department of Transportation (NJDOT) because of the limited openings of these bridges. This action should relieve the bridge owners of the burden of having personnel constantly available to open the bridges and should provide for the reasonable needs of navigation. Other changes are proposed that would remove redundant requirements that are included in Part 117, general operating regulations, provide maximum allowable time delays for specific railroad bridge openings, remove unnecessary language, and reorder the paragraphs for clarity and consistency.

**DATES:** Comments must be received on or before August 20, 1996.

**ADDRESSES:** Comments may be mailed to Commander (obr), First Coast Guard District, Building 135A, Governors Island, New York, 10004-5073, or may be hand-delivered to the same address between 6:30 a.m. and 3 p.m., Monday through Friday, except federal holidays. The telephone number is (212) 668-7170. The comments will become part of this docket and will be available for inspection and copying by appointment at the above address.

**FOR FURTHER INFORMATION CONTACT:** Gary Kassof, Bridge Program Manager, First Coast Guard District, (212) 668-7069.

#### **SUPPLEMENTARY INFORMATION:**

##### **Request for Comments**

The Coast Guard encourages interested persons to participate in this rulemaking by submitting written views, comments, data, or arguments. Persons submitting comments should include their names and addresses, identify this rulemaking (CGD01-95-171), the specific section of this proposal to which each comment applies, and give reasons for each comment. The Coast Guard requests that all comments and attachments be submitted in an unbound format no longer than 8½" by 11", suitable for copying and electronic filing. If that is not practical, a second copy of any bound material is requested. Persons desiring acknowledgment that their comments have been received should enclose a stamped, self-addressed post card or envelope.

The Coast Guard will consider all comments received during the comment

period, and may change this proposal in light of comments received. The Coast Guard plans no public hearing. Persons may request a public hearing by writing to Commander (obr), First Coast Guard District at the address listed under **ADDRESSES**. The request should include reasons why a hearing would be beneficial. If the Coast Guard determines that the opportunity for oral presentations will aid this rulemaking, the Coast Guard will hold a public hearing at a time and place announced by a later notice in the Federal Register.

#### Background and Purpose

The Routes 1 & 9 (Lincoln Highway), Point-No-Point Railroad, and Route 7 (Rutgers Street) Bridges have respective vertical clearances, when in the closed position, of 40', 16', and 8' above mean high water (MHW) and 45', 30', and 21', above mean low water (MLW). All three bridges are presently required to open on signal. The proposed regulations would permit these bridges to open on signal if at least four hours notice is given.

Due to the closure of the River Oil Terminal in August, 1992, requests for openings of bridges across Passaic River have decreased. For the years 1992, 1993, and 1994, the Routes 1 & 9 (Lincoln Highway) Bridge opened 95, 35 and 29 times, respectively, for vessel transits; the Point-No-Point Bridge opened 243, 145 and 124 times; the Route 7 (Rutgers Street) Bridge opened 129, 161 and 169 times. These regulations are being proposed to provide CONRAIL and NJDOT relief from having an operator in constant attendance at the bridges since there is limited demand for bridge openings.

#### Discussion of Proposed Amendments

The Coast Guard proposes to amend 33 CFR 117.739 to require a four hour advance notice for openings of the Routes 1 & 9 (Lincoln Highway) Bridge, mile 1.8; Point-No-Point Railroad Bridge, mile 2.6; and Route 7 (Rutgers Street) Bridge, mile 8.9. Redundant requirements that are included in Part 117, general operating regulations, would be deleted. Maximum allowable time delays in railroad bridge openings would be added to appropriate paragraphs. Finally, 33 CFR 117.739 would be revised to remove unnecessary language and the paragraphs would be reordered for clarity and consistency.

The Coast Guard proposes to amend § 117.739 by adding new paragraphs (b), (c), and (j) requiring a four hour advance notice for openings be given for the Routes 1 & 9 (Lincoln Highway), Point-No-Point Railroad, and Route 7 (Rutgers Street) Bridges, respectively. Requests

for openings of these three bridges have been markedly reduced since 1991.

The Coast Guard proposes to amend § 117.739(a)(1) to delete the requirement to allow public vessels to pass without delay. The regulatory requirements for operating in emergency situations are provided in 33 CFR 117.31.

The Coast Guard proposes to delete the requirements in § 117.739(a)(3) which control trains and locomotives and the maximum allowable time delay in providing openings. The explanation of the train interlock system (block method) is described in 33 CFR 117.9. Paragraphs (c), (e), (h), and (j) of § 117.739 are proposed to be amended by including maximum allowable opening delays of ten minutes.

The Coast Guard proposes to revise § 117.739 by redesignating paragraphs (b), (c), (d), (e), (f), (g), (h), (i), (j), (k), (l), and (m), as (d), (e), (f), (g), (h), (i), (k), (l), (m), (n), (o), and (p), respectively. Text modifications to be consistent with other proposed changes would be made in these paragraphs, as appropriate.

#### Regulatory Evaluation

This proposal 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 proposal to be so minimal that a full Regulatory Evaluation under paragraph 10e of the regulatory policies and procedures of DOT is unnecessary. The proposed regulations would not prevent mariners from passing through the Routes 1 & 9, the Point-No-Point Railroad, and the Route 7 bridges, but would require giving four hours advance notice of arrival. Currently, two facilities in Newark, New Jersey, National Fuels and W.A. Steamlines, receive some of their product by barge. During the winter months, National Fuels occasionally receives heating oil crude by barge in anticipation of demand for home heating fuel. Similarly, W.A. Steamlines sometimes has gasoline delivered by barge to increase its reserves in the winter months. Since these deliveries are scheduled well in advance, the proposed advance notice requirement will have minimal impact on these facilities. Small marinas located along the Passaic River provide dockage for less than 100 recreational vessels, many transiting the drawbridges without

requiring openings. Considering the recreational nature of these trips, an advance notice requirement will have minimal economic impact on recreational boating facilities and recreational boaters.

#### Small Entities

Under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Coast Guard must consider whether this proposal, if adopted, will have a significant economic impact on a substantial number of small entities. "Small entities" include independently owned and operated small businesses that are not dominant in their fields and that otherwise qualify as "small business concerns" under section 3 of the Small Business Act (15 U.S.C. 632). Because of the reasons discussed in the Regulatory Evaluation above, the Coast Guard finds that this rule will not have a significant economic impact on a substantial number of small entities. If however, you think that your business or organization qualifies as a small entity and that this rule will have a significant economic impact on your business or organization, please submit a comment (See **ADDRESSES**) explaining why you think it qualifies and in what way and to what degree this rule will economically affect it.

#### Collection of Information

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

#### Federalism

The Coast Guard has analyzed this proposal in accordance with the principles and criteria contained in Executive Order 12612 and it has determined that this proposed regulation does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

#### Environment

The Coast Guard considered the environmental impact of this proposal and concluded that, under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B (as revised by 59 FR 38654, July 29, 1994), this proposal is categorically excluded from further environmental documentation since it is a proposed operating regulation for drawbridges.

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

Bridges.

**Proposed Regulations**

For the reasons set out in the preamble, the Coast Guard proposes to amend 33 CFR part 117 as follows:

**PART 117—DRAWBRIDGE OPERATION REGULATIONS**

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.

2. Section 117.739 is revised to read as follows:

**§ 117.739 Passaic River.**

(a) The following requirements apply to all bridges across the Passaic River:

(1) The owners of these bridges shall provide, and keep in good legible condition, clearance gauges with figures not less than twelve (12) inches high designed, installed and maintained according to the provisions of section 118.160 of this chapter.

(2) New Jersey Transit Rail Operations' (NJTRO) roving crews shall consist of two qualified operators, on each shift, each having a vehicle which is equipped with marine and railroad radios, a cellular telephone, and emergency bridge repair and maintenance tools. This crew shall be split with one drawtender stationed at the Upper Hack and the other drawtender at the HX (Jackknife) drawbridge on the Hackensack River. "Adequate security measures" shall be provided to prevent vandalism to the bridge operating controls and mechanisms to insure prompt openings of NJTRO bridges.

(b) The draw of the Routes 1 & 9 (Lincoln Highway) Bridge, mile 1.8, at Newark, shall open on signal if at least four hours notice is given.

(c) The draw of CONRAIL's Point-No-Point Railroad Bridge, mile 2.6, at Newark, shall open on signal if at least four hours notice is given to the CONRAIL Movement Desk. After the signal to open is given, the opening may be delayed no more than ten minutes.

(d) The draw of the Jackson Street Bridge, mile 4.6, at Harrison, shall open on signal; except that notice must be given before 2:30 a.m. for openings between 3 a.m. and 8:30 a.m. and before 2:30 p.m. for openings between 4:30 p.m. and 7 p.m.

(e) The draw of Amtrak's Dock Bridge, mile 5.0, at Harrison, shall open on signal; except that from 7:20 a.m. to 9:20 a.m. and 4:30 p.m. to 6:50 p.m., Monday through Friday except federal holidays, the draw need not be opened. At all other times, an opening may be delayed

no more than ten minutes, unless the drawtender and the vessel operator, communicating by radiotelephone, agree to a longer delay.

(f) The draw of the Bridge Street Bridge, mile 5.6, at Harrison, shall open on signal; except that notice must be given before 2:30 a.m. for openings between 3 a.m. and 8:30 a.m. and before 2:30 p.m. for openings between 4:30 p.m. and 7 p.m.

(g) Phd draw of the NJTRO Newark-Harrison (Morristown Line) Bridge, mile 5.8, at Harrison, New Jersey shall open on signal if at least one hour advance notice is given to the drawtender at Upper Hack bridge mile 6.9, across the Hackensack River at Secaucus, NJ. In the event the HX drawtender is at the Lower Hack bridge, mile 3.4 on the Hackensack River, at Jersey City then up to an additional half hour delay in opening is permitted. After the signal to open is given, the opening may be delayed no more than ten minutes. From 7:15 a.m. to 9 a.m. and from 4:30 p.m. to 6:50 p.m., Monday through Friday except federal holidays, the draw need not open.

(h) The draw of the Route 280 (Stickel Memorial) Bridge, mile 5.8, at Harrison, shall open on signal if at least eight hours notice is given. In an emergency, the draw shall open as soon as possible but not more than two hours after the opening request.

(i) The draw of the Clay Street Bridge, mile 6.0, at Harrison, shall open on signal; except that notice must be given before 2:30 a.m. for openings between 3 a.m. and 8:30 a.m. and before 2:30 p.m. for openings between 4:30 p.m. and 7 p.m.

(j) The draw of the Route 7 (Rutgers Street) Bridge, mile 6.9, at Belleville, shall open on signal if at least four hours notice is given.

(k) The draw of the NJTRO (West Arlington) Bridge, mile 8.0, at Kearney, shall open on signal from 7 a.m. to 11 p.m. if at least eight hours notice is given. After the signal to open is given, the opening may be delayed no more than ten minutes. From 11 p.m. to 7 a.m., the draw need not be opened.

(l) The draw of the Avondale Bridge, mile 10.7, at Lyndhurst, shall open on signal; except that notice must be given before 2:30 a.m. for openings between 3 a.m. and 8:30 a.m. and before 2:30 p.m. for openings between 4:30 p.m. and 7 p.m.

(m) The draw of the NJTRO Bridge, mile 11.7, at Lyndhurst, shall open on signal from 8 a.m. to 4 p.m. if at least six hours notice is given. After the signal to open is given, the opening may be delayed no more than ten minutes.

From 4 p.m. to 8 a.m., the draw need not be opened.

(n) The draw of the Route 3 Bridge, mile 11.8, at Rutherford, shall open on signal if at least six hours notice is given.

(o) The draw of the Douglas O. Mead (Union Avenue) Bridge, mile 13.2, at Rutherford, shall open on signal; except that:

(1) From 4 p.m. to 8 a.m., the draw shall open if at least eight hours notice is given; and

(2) On Christmas and New Year's Day, the draw shall open if notice is given prior to 4 p.m. today prior.

(p) The draw of the following bridges need not be opened for the passage of vessels:

(1) Gregory Avenue Bridge, mile 14.0, at Wallington.

(2) Second Street Bridge, mile 14.7, at Wallington.

(3) West Eighth Street Bridge, mile 15.3, at Garfield.

Dated: May 28, 1996.

J.L. Linnon,

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

[FR Doc. 96–15681 Filed 6–20–96; 8:45 am]

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**ENVIRONMENTAL PROTECTION AGENCY****40 CFR Chapter I**

[AD–FRL–5523–6]

**Notice of Intent to Form an Advisory Committee for the Industrial Combustion Coordinated Rulemaking and Request for Nomination of Candidates**

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

**ACTION:** Intent to Form Industrial Combustion Coordinated Rulemaking Advisory Committee and request for nomination of candidates.

**SUMMARY:** The EPA is planning to establish an Industrial Combustion Coordinating Rulemaking (ICCR) Advisory Committee under the Federal Advisory Committee Act (FACA). The purpose of this Federal Advisory Committee (hereafter referred to as "Coordinating Committee") is to advise and assist the EPA in coordinating the development of regulations to control emissions of air pollutants from industrial, commercial, and institutional combustion of fuels and non-hazardous solid wastes.

The EPA is also requesting nominations for candidates for