

(b) Unless the covered building is demolished, repaired, retrofitted, or otherwise altered as soon as reasonably possible after the loss, not to exceed two years.

(4) Loss due to any ordinance or law that you were required to comply with before the current loss.

Note: Increased Cost of Construction coverage will not be included in the calculation to determine whether coverage meets the 80% replacement cost requirement under Article 9 or for payment under Article 3. B.3 for loss from land subsidence, sewer backup, or seepage of water.

All other conditions and provisions of the policy apply.

\* \* \* \* \*

(Catalog of Federal Domestic Assistance No. 83.100, "Flood Insurance")

Dated: September 12, 1996.

James L. Witt,

Director.

[FR Doc. 96-24319 Filed 9-20-96; 8:45 am]

BILLING CODE 6718-03-P

## DEPARTMENT OF TRANSPORTATION

### Research and Special Programs Administration

**49 CFR Parts 171, 172, 173, 174, 175, 176, 177, 178, 179, and 180**

**[Docket HM-223; Notice No. 96-18]**

**RIN 2137-AC68**

### Applicability of the Hazardous Materials Regulations to Loading, Unloading and Storage

**AGENCY:** Research and Special Programs Administration (RSPA), DOT.

**ACTION:** Notice of meeting; issues to be discussed in Sacramento.

**SUMMARY:** On July 29, 1996, RSPA published an Advance Notice of Proposed Rulemaking and notice of meeting in the Federal Register. In that document, RSPA announced three public meetings at which it would seek ideas, proposals and recommendations regarding the applicability of the Hazardous Materials Regulations to particular hazardous materials transportation activities. The first of the three public meetings was held in Atlanta, Georgia on September 13, 1996. Based on information gathered at that public meeting and information in the docket, RSPA is announcing the topics to be discussed at the September 25, 1996 meeting in Sacramento, California, by two working groups comprised of interested members of the public. Those two topics are: The unloading of hazardous materials and the storage of hazardous materials. Also, commenters

to date have identified several factors which could provide a framework for possible regulation in these areas. These factors are set forth in this notice and will serve as a starting point for discussion for each working group in Sacramento.

#### DATES:

##### Meetings

(1) September 25, 1996 from 9:00 a.m. to 4:00 p.m. in Sacramento, California—public working-group session

(2) October 30, 1996 from 9:00 a.m. to 4:00 p.m. in Philadelphia, Pennsylvania—public working-group session.

##### *Written Comments; Public Working-Group Sessions in Sacramento and Philadelphia*

Written comments must be received on or before November 30, 1996. Any person wishing to participate in the Sacramento working-group session should notify Nancy E. Machado by telephone, at the number listed below, or in writing, on or before September 23, 1996. Any person wishing to participate in the Philadelphia working-group session should notify Nancy E. Machado by telephone or in writing on or before October 23, 1996. RSPA will attempt to accommodate anyone who indicates, after the deadlines, a desire to participate in either of the two remaining public meetings.

#### ADDRESSES:

##### Meetings

(1) California State Department of Social Services Auditorium, 744 P Street, Sacramento, CA 95184.

(2) Penn Tower Hotel, Civic Center Boulevard at 34th St., Philadelphia, PA 19104.

##### Comments

Address comments to Dockets Unit (DHM-30), Office of Hazardous Materials Safety, Research and Special Programs Administration, U.S. Department of Transportation, Washington, D.C. 20590-0001. Comments should identify the docket and notice number and be submitted, when possible, in five copies. Persons wishing to receive confirmation of receipt of their comments should include a self-addressed, stamped postcard. The Dockets Unit is located in Room 8421 of the Nassif Building, 400 Seventh Street, S.W., Washington, D.C. 20590-0001. Office hours are 8:30 a.m. to 5:00 p.m., Monday through Friday, except on public holidays when the office is closed.

#### FOR FURTHER INFORMATION CONTACT:

Nancy E. Machado, Office of the Chief Counsel, Research and Special Programs Administration, U.S. Department of Transportation, 400 Seventh Street, S.W., Washington D.C. 20590-0001, telephone 202-366-4400.

#### SUPPLEMENTARY INFORMATION:

On July 29, 1996, RSPA published an Advance Notice of Proposed Rulemaking (ANPRM) and notice of meeting in the Federal Register (61 FR 39522). In that document, RSPA announced three public meetings at which it would seek ideas, proposals and recommendations regarding the applicability of the Hazardous Materials Regulations (HMR)(49 C.F.R. Parts 171-180) to particular hazardous materials transportation activities. In the ANPRM, RSPA asked that participants in the first meeting, held in Atlanta, Georgia, comment on issues identified and respond to questions raised in the July 29, 1996 ANPRM. RSPA proposed to begin the Sacramento and Philadelphia meetings with an overview of the issues of greatest concern to commenters in Atlanta, and then have participants break out into working groups to discuss those issues and to generate further ideas, proposals and recommendations. At the conclusion of the working-group sessions, RSPA proposed to have each working group present its ideas, proposals and recommendations to all meeting participants for further discussion.

The Atlanta meeting was held on September 13, 1996, and was attended by members of the regulated community, local government interests, and Department of Transportation (DOT), Environmental Protection Agency (EPA) and Occupational Safety and Health Administration (OSHA) representatives.

After considering the oral statements made by participants in the Atlanta meeting, and information already in the public docket, RSPA announced at the conclusion of the Atlanta meeting that the two topics for working-group discussions in Sacramento would be the unloading of hazardous materials and the storage of hazardous materials. RSPA also noted that, to date, commenters have identified several criteria which might be used to determine the applicability or non-applicability of the HMR. The working-group discussions will focus on those criteria and the advantages and disadvantages of each. The criteria are:

- (1) The nature of the activity;
- (2) The intent of the activity;
- (3) The time-frame involved in the activity;

(4) The physical location where the activity takes place;

(5) The priority of interests of each Federal agency in regulating the activity;

(6) The nature of the shipping papers (e.g., "active") at the time the activity is taking place; and

(7) The type of packaging involved in each activity.

RSPA is publishing this information in the Federal Register to allow participants in the Sacramento meeting to prepare in advance for the working-group discussions. RSPA will publish a similar notice in the Federal Register prior to the Philadelphia meeting. The issues to be discussed in Philadelphia may differ from the issues discussed in Sacramento, based on information, ideas, proposals and recommendations gathered by the agency in Sacramento and through comments in the docket.

Issued in Washington, DC on September 16, 1996.

Alan I. Roberts,

*Associate Administrator for Hazardous Materials Safety.*

[FR Doc. 96-24267 Filed 9-20-96; 8:45 am]

**BILLING CODE 4910-60-P**