

requirements when a limiting health condition is obvious or when an applicant provides a doctor's certification of need for conditions which are not obvious.

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3. Appendix C to § 327.30 is amended by revising paragraph 14. to read as follows:

Appendix C to § 327.30 Shoreline Use Permit Conditions

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14. On all new docks and boat mooring buoys, flotation shall be extruded polystyrene, expanded polystyrene, or a copolymer of polyethylene and polystyrene moldable foam all with 0.9 lbs./cu. ft. minimum density. No-foam modular blocks using interior air chambers for flotation with a minimum wall thickness of .25" may also be used. On all foam products, water absorption shall be less than 3.0 lbs./cu. ft at seven days when a 1/16 cu. ft. cube (5"×5"×4.32") is immersed under 1/2" head of water for seven days and dripped for five seconds before weighing. All systems using foam (except extruded polystyrene foam) must encase the foam totally with concrete, galvanized steel, aluminum, recycled plastic lumber, polyethylene, fiberglass, or tough flexible plastic. Reuse of plastic, metal, or other previously used drums or containers for encasement or flotation purpose is prohibited. The encasement shall be designed to resist puncture and penetration by floating debris, boats, animals or other sources. In addition, the protective coating encasement shall be warranted by the manufacturer for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays. Extruded polystyrene foam products must be warranted for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays. Extruded polystyrene flotation shall be designed to resist puncture and penetration by floating debris, boats, animals or other sources. Manufacturers of no-foam modular blocks using interior air chambers for flotation must warrant their products for a period of at least eight years against cracking, peeling, sloughing and deterioration from ultra violet rays. Any flotation which is within 40 feet of a line carrying fuel shall, in addition to the requirements for protective coating mentioned above, be 100% impervious to water and fuel. Existing flotation is authorized until it has severely deteriorated and is no longer serviceable or capable of supporting the structure, at which time it shall be replaced with approved flotation. For any floats installed after the effective date of this specification, repair or replacement is required when the foam becomes visible through the encasement protective covering, or the float no longer performs its designed function.

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Dated: April 8, 1997.

For the Commander.

Robert W. Burkhardt,

Colonel, Corps of Engineers, Executive Director of Civil Works.

[FR Doc. 97-9643 Filed 4-14-97; 8:45 am]

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ENVIRONMENTAL PROTECTION AGENCY

40 CFR Part 60

[FRL-5811-2]

RIN 2060-AH16

Revision of New Source Performance Standards for the Phosphate Fertilizer Industry: Granular Triple Superphosphate Storage Facilities

AGENCY: Environmental Protection Agency.

ACTION: Proposed rule.

SUMMARY: The Environmental Protection Agency (Agency) proposes to clarify the coverage of the new source performance standards (NSPS) to limit their applicability to those facilities which store fresh granular triple superphosphate (GTSP). As a result of the proposed revisions, the NSPS would include a work practice through which manufacturers would hold fresh GTSP in storage until it had cured prior to shipment to their customers. The proposed revisions would limit the testing and recordkeeping requirements of Subpart X to only those facilities associated with the manufacture of GTSP and, thereby, remove any recordkeeping burden currently imposed upon downstream distributors and users of this product.

In the Final Rules section of this **Federal Register**, the Agency is making these revisions without prior proposal. A detailed rationale for the action 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 the Agency 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 Agency will address those comments in a subsequent final rule based on this proposed rule. Any rules for which no adverse or critical comment is received will become final after the designated period. The Agency 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: Comments on this action must be received by May 15, 1997.

ADDRESSES: Interested parties may submit written comments (in duplicate if possible) to Public Docket No. A-97-4 at the following address: U.S. Environmental Protection Agency, Air and Radiation Docket and Information Center (6102), 401 M Street, S.W., Washington, D.C. 20460. The Agency requests that a separate copy also be sent to the contact person listed below. The docket is located at the above address in Room M-1500, Waterside Mall (ground floor), and may be inspected from 8 a.m. to 4 p.m., Monday through Friday. The docket is an organized and complete file of all the information submitted to or otherwise considered by the Agency in the development of this rulemaking.

FOR FURTHER INFORMATION CONTACT: For information concerning specific aspects of this action, contact Mr. David Painter [telephone number (919) 541-5515], Minerals and Inorganic Chemicals Group, Emission Standards Division (MD-13), U.S. Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

SUPPLEMENTARY INFORMATION: For additional information, see the direct final rule published in the Final Rules section of this **Federal Register**.

Dated: April 8, 1997.

Carol M. Browner,

Administrator.

[FR Doc. 97-9584 Filed 4-14-97; 8:45 am]

BILLING CODE 6560-50-P

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 25

[DA 97-683]

Domestic and International Satellite Consolidation

AGENCY: Federal Communications Commission.

ACTION: Proposed rule; roundtable discussion.

SUMMARY: The International Bureau, Satellite and Radiocommunication Division announces that it will host a roundtable discussion to solicit views on rules and policies for entry of foreign-licensed satellites in the U.S. market, as proposed by the Commission in the Domestic and International Satellite Consolidation Order (*DISCO II*). Comments offered in the roundtable discussion will assist the Commission in assessing the impact of the recent

agreement on basic telecommunications services in the World Trade Organization (WTO) on proposals made in the *DISCO II* proceeding.

DATES: The roundtable discussion will be held on April 18, 1997, at 1:30–3:30 p.m.

ADDRESSES: The roundtable discussion will be held in the Commission Meeting Room, Room 856, 1919 M Street, NW., Washington, DC 20054.

FOR FURTHER INFORMATION CONTACT: Suzanne Hutchings, Attorney, (tel: 202–418–0762, fax: 202–418–0765), and James Taylor, Attorney, (tel: 202–418–2113, fax: 202–418–7270), Satellite and Radiocommunication Division, International Bureau, Suite 500, 2000 M Street N.W., Washington, D.C. 20554.

SUPPLEMENTARY INFORMATION: The International Bureau, Satellite and Radiocommunication Division, will host a roundtable discussion on April 18, 1997, at 1:30–3:30 p.m. in the Commission Meeting Room, Room 856, 1919 M Street, N.W., Washington, D.C. 20054, to solicit views on rules and policies for entry of foreign-licensed satellites in the U.S. market, as proposed by the Commission in the *DISCO II* (61 FR 32399, June 24, 1996). Comments offered in the roundtable discussion will assist the Commission in assessing the impact of the recent agreement on basic telecommunications services in the World Trade Organization (WTO) on proposals made in the *DISCO II* proceeding.

One of the principal aims of the *DISCO II* proceeding was to encourage foreign governments to open their communications markets. As a result of the recent WTO Agreement, nearly 80% of countries making offers on basic telecommunications have committed to a complete opening of their satellite markets effective January 1998 or on a phased-in basis. Additional participants have committed to at least partial opening of their satellite markets, and the United States Trade Representative continues to urge countries to improve on their offers on basic telecommunications.

We seek to assess the impact, if any, of these developments on the Commission's stated goals in *DISCO II*, and on whether proposed *DISCO II* rules and policies should be revised to reflect these developments. Specifically, we ask the industry and the general public their views on whether and how the ECO-Sat and public interest criteria for evaluating applications to access non-U.S.-licensed satellites should change in light of the WTO Agreement.

- Should our consideration of additional public interest factors, including the

promotion of competition in the United States, be modified or expanded?

- How should the proposed ECO-Sat test be modified with respect to satellites licensed by WTO members, including systems that have investment by non-WTO members?
- Should the proposed ECO-Sat test and public interest factors be modified with respect to satellites licensed by non-WTO members? If so, what specific criteria should be applied?
- Should the proposed ECO-Sat test and public interest factors be modified with respect to satellite services not covered by the U.S. WTO offer on basic telecommunications, i.e. DTH, DBS, and DARS? If so, what specific criteria should be applied?

Members of industry and the public who wish to comment in writing should submit their views sufficiently in advance of the roundtable meeting so as to enable all participants to review them. A public file has been set up in the International Bureau's Reference Room on the First Floor of 2000 M Street, N.W. for the written submissions provided during this inquiry. The address for all correspondence: Office of the International Bureau Chief, Satellite Policy Branch, Suite 800, 2000 M Street, N.W., Stop Code 0800, Washington, D.C. 20554.

Persons with other business currently before the Commission are asked to ensure that comments offered do not violate any restrictions on *ex parte* presentations.

Federal Communications Commission.

William F. Caton,

Acting Secretary.

[FR Doc. 97–9627 Filed 4–14–97; 8:45 am]

BILLING CODE 6712–01–P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 648

[Docket No. 960520141–7077–05; I.D. 021897B]

RIN 0648–AH05

Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 1997 Scup Recreational Fishery Measures

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Proposed rule, request for comments.

SUMMARY: NMFS issues this proposed rule to retain, for 1997, the 1996

recreational management measures for the scup fishery implemented under the regulations implementing Amendment 8 to the Fishery Management Plan for the Summer Flounder, Scup, and Black Sea Bass Fisheries (FMP). This rule proposes no change to the measures implemented under Amendment 8, that is, a 7–inch (17.78–cm) minimum fish size, no possession limit and no season for the recreational scup fishery. The intent of this document is to comply with implementing regulations for the scup fishery that require NMFS to publish measures for the upcoming fishing year that will prevent overfishing of the resource.

DATES: Public comments must be received on or before May 15, 1997.

ADDRESSES: Copies of the Environmental Assessment prepared for the 1997 scup specifications and supporting documents used by the Monitoring Committee are available from: Executive Director, Mid-Atlantic Fishery Management Council, Room 2115, Federal Building, 300 S. New Street, Dover, DE 19901–6790. Comments should be sent to: Regional Administrator, Northeast Region, NMFS, One Blackburn Drive, Gloucester, MA 01930. Please mark the outside of the envelope “Comments on the Recreational Fishing Measures for Scup.”

FOR FURTHER INFORMATION CONTACT: Regina L. Spallone, Fishery Policy Analyst, (508) 281–9221.

SUPPLEMENTARY INFORMATION: The FMP was developed jointly by the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) in consultation with the New England and South Atlantic Fishery Management Councils. Implementing regulations for the fishery are found at 50 CFR part 648.

Section 648.120 outlines the process for determining annual commercial and recreational catch quotas and other restrictions for the scup fishery. The Scup Monitoring Committee (Committee), made up of representatives from the Council, the Commission, the New England Fishery Management Council, and NMFS, is required to review, on an annual basis, scientific and other relevant information and to recommend a quota and other restrictions necessary to achieve an annual exploitation rate of 47 percent in 1997 through 1999, 33 percent in 2000 and 2001, and the exploitation rate associated with F_{max} (currently 19 percent) in 2002. This schedule is mandated by the FMP to prevent overfishing and to rebuild the scup resource. The Committee reviews the