

changed and four remote teleconference sites have been added. The date of the public hearing remains Thursday, May 15, 1997.

The hearing will be held in room 3411 of the Internal Revenue Building, 1111 Constitution Avenue, NW, Washington, DC, and in the four remote teleconference sites listed below:

Federal Building, 5th Floor, Room 5003, 300 N. Los Angeles Street, Los Angeles, California

Van Ness Plaza Building, 5th Floor, Room 511, 1650 Mission Street, San Francisco, California

Santa Fe Building, 6th Floor, Room 609, 1114 Commerce Street, Dallas, Texas

Federal Building, 32nd Floor, 230 South Dearborne Street, Chicago, Illinois

The public hearing will begin at 1 p.m. (EDT); attendees will be admitted beyond the lobby of the Internal Revenue Building in Washington, DC after 12:30 p.m. Hearing times at the remote teleconference sites will be concurrent with the hearing in Washington, DC. (i.e., 10 a.m. PDT and 12 noon CDT).

Requests to speak and outlines of oral comments should be received by Friday, May 9, 1997. All persons who have notified the Service by May 9, 1997, of their desire to testify will be given the opportunity to do so. Requests should specify the site from which the speaker wishes to testify; if no specific site is named, the speaker will be scheduled to appear in Washington, DC. Requests to testify at remote teleconference sites should include a telephone number in case the Service needs to contact the speaker prior to the public hearing.

Due to limited seating capacity at the remote teleconference sites, no more than 12 people may be accommodated at any one time in each teleconference room. Seating in the teleconference rooms will be made available based on the order of presentations. IRS personnel will be available at the remote teleconference sites to assist speakers in using the teleconference equipment.

The Service will prepare an agenda showing the scheduling of speakers and will make copies of the agenda available free of charge at the hearing. Testimony will begin with the speakers at the remote teleconference sites in the following order: Los Angeles, San Francisco, Dallas and Chicago, and will conclude with presentations by the speakers in Washington, DC.

**Michael L. Slaughter,**

*Acting Chief, Regulations Unit, Assistant Chief Counsel (Corporate).*

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## DEPARTMENT OF TRANSPORTATION

### Coast Guard

#### 33 CFR Part 117

[CGD01-97-018]

RIN 2115-AE47

#### Drawbridge Operation Regulations; Bronx River, New York

**AGENCY:** Coast Guard, DOT.

**ACTION:** Notice of proposed rulemaking.

**SUMMARY:** The Coast Guard proposes to change the operating rules for the Bruckner Boulevard Bridge, over the Bronx River in the Bronx, New York. In addition, the location of bridge in this section will be more clearly identified and redundant language regarding openings for public vessels and vessels in distress will be removed. The owner of the bridge has requested that 4 hours notice for openings be provided, except between 7 a.m. and 9 a.m. and 4 p.m. and 6 p.m., Monday through Friday, when the bridge need not open for the passage of vessels. This change is expected to provide for the needs of navigation and relieve the bridge owner of the burden of crewing the bridge at all times.

**DATES:** Comments must be received on or before June 30, 1997.

**ADDRESSES:** Comments should be mailed to Commander (obr), First Coast Guard District, Building 135A, Governors Island, New York, 10004-5073. The telephone number is (212) 668-7165. Comments will become part of this docket and will be available for inspection or copying at the above address.

**FOR FURTHER INFORMATION CONTACT:** Mr. J. Arca, project officer, 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 data, views, or arguments. Persons submitting comments should include their names and addresses, identify this notice (CGD01-97-018), and the specific section of the proposal to which their comments apply, and give reasons for each comment. Persons wanting acknowledgment of receipt of comments should enclose a stamped, self-addressed post card or envelope.

The Coast Guard will consider all comments received during the comment period. It may change this proposal in view of the comments. The Coast Guard plans no public hearing; however,

persons may request a public hearing by writing to the address under **ADDRESSES**. If it is determined 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 Bruckner Boulevard Bridge, at mile 1.1, over the Bronx River in the Bronx, New York, has vertical clearances of 27' above mean high water (MHW) and 34' above mean low water (MLW) in the closed position. The existing rules at 33 CFR part 117.771(a) require the Bruckner Boulevard Bridge to open on signal, except during designated rush hour periods. On September 27, 1988, the Coast Guard approved plans for the rehabilitation of the bridge. To facilitate the work, a temporary final rule (54 FR 18282, April 28, 1989) was approved, permitting the bridge to remain closed for 36 months from April 9, 1989, through April 9, 1992. Prior to the rehabilitation of the bridge, there were three openings recorded in 1988. Since the rehabilitation was completed in 1992, there have been no requests for openings.

#### Discussion of Proposed Amendments

This proposal will amend 33 CFR 117.771 to require at least a 4 hour advance notice be given to the bridge owner for openings of the Bruckner Boulevard Bridge, except between 7 a.m. and 9 a.m., and 4 p.m., and 6 p.m., Monday through Friday, when the bridge need not open. The locations of the Bruckner Boulevard and Conrail Bridges are unclear in the existing regulation. This proposal correctly identifies the locations of the bridges as the Bronx, New York. The requirement that public vessels and vessels in distress be passed as soon as possible will be removed from section 117.771 since it is now a requirement under section 117.31 of the general operating regulations.

#### 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 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 rule to be so minimal that

a full Regulatory Evaluation, under paragraph 10e of the regulatory policies and procedures of DOT, is unnecessary. This conclusion is based on the fact that information from the bridge owner indicates that there have been no requests for openings since 1992. This rule will not prevent mariners from passing through the Bruckner Boulevard Bridge so long as they provide advance notice.

### Small Entities

The Coast Guard has considered the economic impact of this rule on small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*). For the reasons discussed in the Regulatory Evaluation above, the Coast Guard has determined that this rule will not affect a substantial number of small entities.

### 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 rule in accordance with the principles and criteria contained in Executive Order 12612 and has determined that this rule does not have sufficient federalism implications to warrant preparation of a Federalism Assessment.

### Environment

The Coast Guard considered the environmental impact of this rule and concluded that, under section 2.B.2.e.(32)(e) of Commandant Instruction M16475.1B, (as revised by 60 FR 32197, June 20, 1995), this rule promulgates operating regulations for drawbridges and is categorically excluded from further environmental documentation.

### List of Subjects in 33 CFR part 117

Bridges.

### Proposed Regulation

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

### PART 117—[AMENDED]

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 117.771 is revised to read as follows:

### § 117.771 Bronx River.

(a) The draw of the Bruckner Boulevard Bridge, mile 1.1, at the Bronx, New York, shall open on signal if at least 4 hours notice is given to the New York City Department of Transportation (NYCDOT) Radio Hotline, or NYCDOT Bridge Operations office, except that between 7 a.m. and 9 a.m., and 4 p.m. and 6 p.m. Monday through Friday, the bridge need not be opened for the passage of vessels.

(b) The draw of the Conrail Bridge, mile 1.6 at the Bronx, New York, need not be opened for the passage of vessels.

(c) The owners of the Bruckner Boulevard Bridge, mile 1.1, and the Conrail Bridge, mile 1.6, both at the Bronx, New York, shall provide and keep in good legible condition two clearance gauges designed, installed and maintained in accordance with the provisions of § 118.160 of this chapter.

Dated: April 16, 1997.

**J.L. Linnon,**

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

[FR Doc. 97–11211 Filed 4–29–97; 8:45 am]

BILLING CODE 4910–14–M

## ENVIRONMENTAL PROTECTION AGENCY

### 40 CFR Part 52

[Region II Docket No. NJ28–1–168, FRL–5816–8]

### Approval and Promulgation of Implementation Plans; New Jersey 15 Percent Rate of Progress Plan and Phase I and II Ozone Implementation Plans

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

**ACTION:** Proposed rule.

**SUMMARY:** The Environmental Protection Agency (EPA) is proposing action on a State Implementation Plan (SIP) revision submitted by New Jersey which is intended to meet several Clean Air Act requirements. EPA is proposing approval of revisions to the 1990 base year ozone emission inventory; the 1996 and 1999 ozone projection emission inventories; photochemical assessment monitoring stations network; demonstration that emissions from growth in vehicle miles traveled will not increase motor vehicle emissions and, therefore, offsetting measures are not necessary; modeling efforts completed to date; transportation conformity budgets; and enforceable commitments. EPA is also proposing conditional interim approval of New

Jersey's 15 Percent Rate of Progress Plan and the 9 Percent Reasonable Further Progress Plan. The intended effect of this action is to approve programs required by the Clean Air Act which will result in emission reductions that will help achieve attainment of the national ambient air quality standard (NAAQS) for ozone.

**DATES:** Comments must be received on or before May 30, 1997.

**ADDRESSES:** All comments should be addressed to: Ronald Borsellino, Chief, Air Programs Branch, Environmental Protection Agency, Region II Office, 290 Broadway, 25th Floor, New York, New York 10007–1866.

Copies of the New Jersey submittals and EPA's Technical Support Document are available at the following addresses for inspection during normal business hours:

Environmental Protection Agency,  
Region II Office, Air Programs Branch,  
290 Broadway, 25th Floor, New York,  
New York 10007–1866  
and

New Jersey Department of  
Environmental Protection, Office of  
Air Quality Management, Bureau of  
Air Quality Planning, 401 East State  
Street, CN418, Trenton, New Jersey  
08625

**FOR FURTHER INFORMATION CONTACT:** Paul R. Truchan, Air Programs Branch, Environmental Protection Agency, 290 Broadway, 25th Floor, New York, New York 10007–1866, (212) 637–4249

### SUPPLEMENTARY INFORMATION:

#### I. Introduction/Background

Section 182 of the Clean Air Act (Act) specifies the required State Implementation Plan (SIP) submissions and requirements for areas classified as nonattainment for ozone and when these submissions and requirements are to be submitted to EPA by the states. EPA has issued the "General Preamble for the Implementation of Title I of the Clean Air Act Amendments of 1990" (General Preamble) describing EPA's preliminary views on how EPA intends to review SIPs and SIP revisions submitted under Title I of the Act, [see generally 57 FR 13498 (April 16, 1992) and 57 FR 18070 (April 28, 1992)]. Because EPA is describing its interpretations here only in broad terms, the reader should refer to the General Preamble for a more detailed discussion of the interpretations of Title I advanced in today's proposal and the supporting rationale.

New Jersey is divided into four ozone nonattainment areas: one classified as marginal—the Allentown Bethlehem